March 28, 2019

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 [File #: EC/13/2019]

On March 13, 2019, Executive Council received your request for access to the following records/information:


On the same date you confirmed you were seeking copies of the Minutes of Council for January 2005 and a copy of the current Minister’s Handbook.

Minutes of Council are considered Cabinet records and a decision has been made by the Clerk of Executive Council to refuse access in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

27. (1) In this section, "cabinet record" means

(e) an agenda, minute or other record of Cabinet recording deliberations or decisions of the Cabinet;

(2) The head of a public body shall refuse to disclose to an applicant

(a) a cabinet record;

I am pleased to inform you that a decision has been made by the Deputy Clerk of Executive Council to provide access to the 2015 Minister’s Handbook. Access to some portions of information contained within the records has been withheld in accordance with subsection 31)(1)(l) of the Access to Information and Protection of Privacy Act (the Act), which states:

31. (1) The head of a public body may refuse to disclose information to an applicant where the disclosure could reasonably be expected to

(l) reveal the arrangements for the security of property or a system, including a building, a vehicle, a computer system or a communications system
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. A copy of sections 42 and 52 of the Act are enclosed for your reference.

This response will be published as outlined on the Completed Access to Information Requests website (http://atipp-search.gov.nl.ca/). If you have any further questions, please feel free to contact me by telephone at (709)729-5691 or by e-mail at rachellecutler@gov.nl.ca.

Sincerely,

Rachelle Cutler
ATIPP Coordinator

Enclosure
Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.
Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner’s refusal under subsection 45(2).
# Table of Contents

1. **INTRODUCTION**

   The Role of the Minister

   The Premier and Cabinet

   The Staff

   Selecting an Executive Assistant

   The Role of the Deputy Minister

   Setting the Agenda

   Managing the Department

2. **STRUCTURE OF GOVERNMENT**

   2.1. Governance Overview

   2.2. How the Government is Formed

   2.3. The Executive Branch

   2.4. The Legislative Branch

   2.4.1. Government House Leader

   2.4.2. How a Bill Becomes a Law

   2.4.3. House Standing Committees

   2.4.4. Cabinet

   2.5. Accountability

   2.5.1. Ministerial Responsibilities under the *Transparency and Accountability Act*

   2.5.1.1. With Respect to Government Departments

   2.5.1.2. With Respect to Public Bodies

   2.5.1.3. Non-Compliance Statements

   2.5.1.4. Incorporation

   2.5.1.5. Power to Borrow/Incur Debt
3.7. Department of Finance 43
3.8. The Public Service Commission 43
3.9. Line Departments 43
3.10. Officers of the House of Assembly 44

4. MINISTERS' OFFICES AND RESOURCES 47
4.1. General 47
4.2. Acquisition of Departmental Space 47
4.2.1. Procedure 47
4.2.2. Existing Facilities 48
4.3. Staffing 48
4.3.1. Classification Chart for Ministerial Political Support Staff 49
4.3.2. Salary Scale Steps 49
4.3.3. Additional Information 50
4.4. Security 50
4.4.1. Obtaining Photo Identification Cards 50
4.5. Cellular Telephone / BlackBerry 51
4.6. Media Inquires 51
4.7. Communications and Consultations Protocols 51
4.7.1. News Releases 51
4.7.2. Ministerial Statements 51
4.7.3. Communications Plans 52
4.7.4. Advertising / Marketing Campaigns 52
4.7.5. Consultation Plans 52
4.8. Information Flow to the Office of the Premier 53
4.8.1. Briefing Notes 53
4.8.2. Matters Requiring a Decision 53
4.8.3. Policy on Premier’s Correspondence 53
4.9. Reporting Requirements for Intergovernmental Meetings 54
4.9.1. Intergovernmental Correspondence 54
4.9.2. Intergovernmental Agreements 54
4.10. Management and Disposition of Ministerial Records 55
4.10.1. Record Categories 55
4.10.2. Disposition of Ministerial Records 56
4.10.3. Cabinet Records of a Previous Administration 56
4.11. Access to Information and Protection of Privacy 57
4.11.1. Legislation 57
4.11.2. Protection of Privacy 58
4.11.3. Information and Privacy Commissioner 58
4.11.4. Appeal to Trial Division 59
4.12. Training Opportunities 59
4.12.1. Media Training 59
4.12.2. Additional Learning Options 59
4.12.2.2. Hiring Procedures 60
4.12.2.3. Other 60
5. CABINET - STRUCTURE, PROCEDURES AND PRACTICE 61
5.1. Cabinet 61
5.1.1. Logistics 61
5.1.2. Attendance at Cabinet and Cabinet Committee Meetings 62
5.1.3. Cabinet Confidentiality 63

Minister’s Handbook
5.1.4. Cabinet Documents
5.1.5. Physical Security
5.1.6. Electronic Security
5.2. Committees of Cabinet
  5.2.1. Planning and Priorities Committee
  5.2.2. Treasury Board Committee
  5.2.3. Committee on Routine Matters and Appointments
  5.2.4. Social Policy Committee
  5.2.5. Economic Policy Committee
5.3. The Cabinet Submission Process

6. LEGISLATION
  6.1. Executive Council Act
  6.2. House of Assembly Act
  6.3. Financial Administration Act
  6.4. Public Tender Act
  6.5. Public Service Commission Act
  6.7. Transparency and Accountability Act
  6.8. House of Assembly Accountability, Integrity and Administration Act
  6.9. Occupational Health and Safety Act

7. MINISTER’S COMPENSATION AND BENEFITS
  7.1. Salary
    7.1.1. Canada Pension Plan Benefit Recipients
    7.1.2. Base Salary
    7.1.3. Additional Salary Elements
7.2. Severance 82
7.3. Retiring Allowances 83
7.3.1. Participation 84
7.3.2. Contributions 84
7.3.3. Pensionable Salary Defined 84
7.3.4. Pension Benefits 85
7.3.5. Calculation of Pension 85
7.3.6. Refund of Contributions 86
7.3.7. Plan Member Benefit Statements 86
7.3.8. Integration with Canada Pension Plan (CPP) 86
7.4. Insurance 87
7.4.1. General 87
7.4.2. Group Life Insurance 87
7.4.3. Dependent Life Insurance 87
7.4.4. Accidental Death and Dismemberment Insurance 87
7.4.5. Supplementary Health Insurance 88
7.4.6. Voluntary Benefits 88
7.4.7. Benefits for Retired Members 88
7.4.8. Continuation of Benefits 88
7.4.9. Conversion Privileges 88
7.4.10. General Information 89
8. MINISTERIAL EXPENSE REIMBURSEMENT 90
POLICIES 90
Definitions 90
8.1. Accommodation 92
8.4.2. Responsibilities
8.5. Entertainment Expenses
8.5.1. Entertainment Expense Limits
8.5.2. Submission of Entertainment Expenses
8.6. Meal Rates Policy
8.6.1. Policy Statement
8.6.2. Responsibilities
8.6.3. Meal Reimbursement Policy - While on Ministerial/Departmental Travel Status
8.6.3.1. Travel within Newfoundland and Labrador
8.6.3.2. Travel outside of Newfoundland and Labrador
8.7. Miscellaneous Expenses
8.7.1. Policy Statement
8.7.2. Responsibilities
8.7.3. Incidental Expenses
8.7.4. Telephone Calls and Internet Charges
8.7.5. Passport and Related Expenses
8.7.6. Hospital and Medical Insurance
8.7.7. Foreign Currencies and Traveler's Cheques
8.7.8. Excess Luggage
8.8. Travel Policy
8.8.1. Policy Statement
8.8.2. Responsibilities
8.8.3. General Rules
8.8.4. Air Travel
8.8.5. Sea Travel
8.8.6. Travel in Government or Rental Vehicles
8.8.7. Use of Taxis and Public Transportation
8.8.8. Toll, Bridge, Ferry and Parking Fees
8.8.9. Spousal and Dependent Travel
8.8.10. Completing Travel Claim Expense Forms
8.9. Travel and Living Expenses
8.9.1. General Principles
8.9.2. Policy Statement
8.9.3. Responsibilities
8.9.4. For a Minister who maintains a permanent residence within his or her headquarters area
8.9.5. For a Minister who maintains a permanent residence outside his or her headquarters area
8.9.6. Reimbursement

TABLE 1: TRAVEL/LIVING EXPENSE ALLOWANCES

TABLE 2: DISTRICT CATEGORIZATION
1. Introduction

The following has been adapted from “Dear Minister” by Gordon Osbaldeston, a former federal Deputy Minister, as published in Policy Options, June 1988. Although this document was written in the context of the federal parliamentary system, it may still prove useful to you as you assume your new role. The original document’s federal terminology has been substituted with provincial terminology. While this advice is over 25 years old, it is not dated; the messages remain relevant today.

Dear Minister:

The Role of the Minister

A Minister plays many roles. He or she must be attentive to the needs of constituents, while carrying out his or her duties as a parliamentarian and as a Minister of the Crown. These are three very different and individually demanding roles.

As a Minister of the Crown, you are part of a collectivity as well as the Minister responsible to the House of Assembly for a particular department. From time to time, this dual responsibility will pose problems for you. You will want to take initiatives that are bold and creative; but at the same time you feel an obligation to consult with your colleagues up to the point of “enervating compromise” concerning your own goals. But that is part of your profession—to reconcile conflicting pulls and loyalties.

Having many roles, you will be under constant and unremitting pressure to allocate some of your time to this or that worthy endeavor. You must establish your priorities and the time frame within which you want to accomplish them, and allocate your time accordingly. If you don’t do this, and do it well, you will be lost.

Not only must you balance your priorities and your time, but you must also balance your loyalties. You must support the Premier’s priorities and policy objectives; but you must also be faithful to your own ideas and do what you want to do, thus accomplishing those things that brought you into politics in the first place.

You will have to answer to the House of Assembly—that’s what Ministerial responsibility is all about. You will appear before the members of the Standing Committees of the House, who all wish they were in your shoes—a Minister of the Crown! They want to add their mark to public policy, too. However, unlike you, they are not responsible for the results of what they recommend.
As a Minister of a department, I urge you to learn how to use the different kinds of expertise that you will find there—the substantive and professional expertise of your Deputy Minister, and the partisan political expertise of your Executive Assistant.

The two kinds of expertise are quite different, and should be made to live within their own limits. But make no mistake, you need both.

Being a Minister is a matter of learning how to balance the many roles you play along with the many demands that will be placed on you. But most importantly, if you are to be successful—in the midst of all this balancing and reconciling—you must never forget who you are and why you went into politics.

One of the most difficult problems that Ministers face is controlling their time. If you find you are working 70-80 hours a week, you are in good company. All Ministers find it difficult to balance their various roles: parliamentarian, Cabinet Minister, party member, and elected member from a particular constituency. As a result, they are unable to devote much more than one third to one half of their time to departmental business.

In order to perform all their functions, Ministers have to:

1. rely extensively on their Deputy Ministers and their Executive Assistants;
2. quickly determine how they are going to relate to Cabinet, the House of Assembly, clients and the department; and,
3. decide how much time they are going to devote to each.

A good Deputy Minister will constantly chastise a Minister who is overtaxing his or her physical resources. An exhausted Minister is a dangerous Minister—both to himself/herself and to the government. My advice to you is to make time for some regular exercise and sufficient rest. Occasionally you will have to be “bloody minded”—say no, and go home to bed!

**The Premier and Cabinet**

As soon as the Cabinet is sworn in, the process of governing begins. Most Ministers I have worked with have found their initial four to six weeks in a new portfolio of a new government to be both exhilarating and exasperating. After a long period on the backbenches or on the election trail, Ministers are usually thrilled to be in power and to have a department which they can “run.” However, for Ministers such as you with no previous parliamentary or Cabinet experience, it is often very difficult to sort out the heavy responsibilities of
the position, and to understand what roles they are to perform. This is particularly difficult when the
government is composed of many other Ministers with no Cabinet or parliamentary experience.

In the past, Ministers tended to work for a few years as backbenchers, progressing to become parliamentary
secretaries, then Ministers. By the time they became Ministers, they had already had a good deal of
experience in the House of Assembly and in government.

The kind of challenge that you are facing is relatively unusual in the history of the provincial government. It
will require you to learn quickly on several fronts at once, while bearing the responsibility and the
accountability for your portfolio at the same time. I don’t envy you this task.

The first few months will be the most dangerous for you. You will be faced by many people—bureaucrats and
the clientele of the department—pressing you to make decisions which have been held up pending your
appointment. It is natural that this should happen. However, you don’t know the department and will not fully
understand the issues at this early stage. Therefore, you will not be able to judge the matters brought before
you effectively, from the political perspective. Don’t make any more decisions than you have to, in the first
few weeks.

Keep in mind that you have taken on an enormous responsibility as the Minister responsible for you
department’s present activities and responsibilities. Get a grip on the present realities of your department
before you launch out in new directions. Most decisions can wait for a few weeks, until you know what you
are doing when you make those decisions.

I hope there is no need to tell you to make certain that your personal affairs are in order, and that you are
clear of all real and/or perceived conflicts of interest. And for heaven’s sake, don’t redecorate your office or
order a new car—you will read about the cost in tomorrow’s newspaper! By the way, never authorize any
purchase unless you do know the cost. Otherwise, you may find that some admiring aide has ordered you a
$5,000 desk—try explaining that to your constituents! You may find the media attention lavished on these
relatively minor issues annoying. Just remember, people believe that if you show common sense in small
matters, you probably will act sensibly when it comes to big issues.

The overall approach to governing and Cabinet decision making in any government depends a great deal on
the management style of the Premier and his or her senior Ministers. However, I can offer you some general
observations which seem to apply to most governments.
A Minister is usually expected to figure out for himself or herself what to do with his or her portfolio within the context of party policy, the Premier’s priorities, and the overall thinking of Cabinet and caucus. Given that the Premier usually has his or her plate full and other Ministers are busy trying to figure out their own portfolios and achieve their own agendas, Ministers usually are left to exercise their own judgment much of the time. There is a very strong “sink or swim” element that pervades the role of a Cabinet Minister.

A major challenge for Ministers is to discover the line between taking initiatives which are within the proper sphere of action of the Minister, and consulting or achieving the approval of Cabinet or the Premier. In new governments, this is a particularly difficult line to draw because everyone else is also doing the same thing. My best advice for you is to avoid falling victim to either of two extremes—either initiating new policies or programs which effect the government or other departments without adequate consultation, or consulting on everything and anything to the point of organizational paralysis.

Above all, do not fall into the trap of thinking that the way to be successful is to end-run the Minister of finance or to spring surprises on colleagues who oppose what you want to do. It may work once or twice; but that is a recipe for failure, in the longer run. By continuing to communicate with your Cabinet colleagues and by carefully observing the priorities of the Premier, you will learn, over a relatively short period of time, when you have to go to Cabinet or to the Premier, and when you do not.

One of the key functions of a Cabinet position is to develop a rapport with the clients of the department. It usually is expected that a Minister will develop the support and confidence of the clientele of his or her department, whether they are loggers, farmers, business people, or artists. Without a good rapport with your clientele, your value and support at the Cabinet table will quickly depreciate. Thus, another difficult problem for Ministers is to balance the requirement to fight for client interests in Cabinet (i.e., for policies and the necessary resources) with the requirement to meet other government aims (e.g., downsizing or deficit reduction). Many Ministers have got themselves trapped in this vise and have never managed to free themselves. You might find it instructive to study the success of some Ministers in walking this tightrope over the past few decades.

The Staff

Successful Ministers know that they must utilize effectively the two people who report to them most directly — the Deputy Minister and the Executive Assistant. It will take you some time to establish your operating style and to define how you want to work with your Deputy Minister and Executive Assistant. I want to comment on the roles of these individuals, and to offer you some advice on how to best utilize them.
Selecting an Executive Assistant

One of the most important decisions you will face over the next two weeks is selecting an Executive Assistant. Your Executive Assistant is a critical part of your management team. The main rationale for the Executive Assistant position is that Ministers need a source of independent politically partisan advice that cannot and should not be provided within the traditions of a non-partisan public service.

The role of Executive Assistant is intended to take some of the pressure off Ministers by ensuring that the Minister’s office is well managed (i.e., correspondence is handled efficiently, and your travel and meeting schedule is well organized and in keeping with your priorities). These may seem like small administrative chores, but the multitudinous demands placed on a Minister can quickly submerge you, without a well-run office supervised by your Executive Assistant.

These are three key qualities for an Executive Assistant:
1. ability to work with the Minister and to assist the Minister in developing and managing his or her agenda;
2. good political judgment, and ability to work within the political networks within the government, caucus and with the clientele of the department; and
3. ability to manage the Minister’s office and work cooperatively with the Deputy Minister and senior department officials. In addition to these three major requirements, candidates who already have a good knowledge of government or your particular policy field are a distinct asset.

In situations where the Minister is able to establish a three-person team (the Minister, the Executive Assistant, and Deputy Minister) where each member brings individual skills and experience to bear on issues, they generally are very successful. In situations where the Executive Assistant tries to run the department or be an intermediary or pseudo Deputy Minister, major problems can emerge which ultimately affect the performance of the Minister.

The Role of the Deputy Minister

Undoubtedly, you will have heard many things about Deputy Ministers from your colleagues. Let me just say that you should begin your relationship with your Deputy Minister with an open mind—starting with the premise that he or she is there to help you, and wants to serve and support you. Start out, too, believing the best of him/her, as you do of others—that this person is honest, diligent and decent. If after a couple of months you find that the Deputy Minister is not doing his/her job effectively, I would then encourage you to speak to the Clerk of the Executive Council about the situation. On a more practical level, you simply do not
have the time to have problems with your deputy—it will be too difficult for you to do your job. Similarly, your deputy cannot afford to have problems with you, or he/she will not be able to get anything done.

You may have heard from some of your colleagues that Deputy Ministers are politically partisan, and that they cannot be trusted to serve a new government. That is usually garbage — pardon my language! The overwhelming majority of Deputy Ministers want to serve their Ministers in a professional non-partisan way, and they try to be extremely sensitive to and supportive of Ministerial priorities.

However, I do not want to mislead you. Deputy Ministers are not paid to say “yes” every time the Minister speaks. Deputy Ministers are, or should be, experts in the policy field. They know how the Cabinet system works, how central agencies operate, and are familiar with the policy process. For these reasons, you will often find that they bring a different perspective to bear on decisions, and sometimes you will find that this is irksome. You might ask, “Why is this guy always telling me what I cannot do, or what problems will emerge if I do this or that? Why is my Deputy Minister so concerned about what Treasury Board thinks? Doesn’t he work for me?”

The answer to these questions is simple. It is the deputy’s job to worry about these things. Deputy Ministers do not want to see their Ministers get into trouble any more than you do. Part of their role in serving Ministers and the Premier is to provide advice about the management requirements of government, and some of the policy problems that could emerge. It is also their job to help you come up with options that meet your requirements, and to help you navigate through the reefs and shoals that have caused many a shipwreck for Ministers.

A good Deputy Minister is one who can be responsive and supportive to the Minister’s priorities, and at the same time provide expertise in management, policy advice or relations with central agencies which enables the Minister to accomplish his or her objectives.

Deputy Ministers are trained to serve their Ministers. They will do their utmost to support you and help you carry out your functions effectively. Although there have been problems in government with Deputy Ministers being unresponsive to their Ministers, Deputy Ministers rarely last very long if they don’t serve their Ministers well. I have observed that the best Ministers have no difficulty ensuring that their deputies worked on their behalf. They simply spend the time required to seek the advice of their Deputy Ministers, and to indicate to the Deputy Minister and the department their priorities and directions.

Inevitably, you will have disagreements with your deputy—strong disagreements. But always remember that a Deputy Minister who has argued strongly against a particular course of action can be counted on to
implement the policy or program once a political decision has been made. Most Ministers accept that since the Premier appoints the Deputy Minister, the Deputy Minister has a responsibility to the Premier as well as to the Minister. In rare instances, the Deputy Minister feels he or she has to inform the Premier that a particular action is ill-advised, illegal or improper.

Thus, a Deputy Minister can be your most important resource. However, even though Deputy Ministers are a critical resource, there are some things they cannot do very well, and which they are precluded from doing under the legislation and traditions of the public service. As you know, the vast majority of Deputy Ministers are non-partisan professionals who have expertise in policy and management. Their role is to serve the government and their Minister. They do not, however, serve the elected party.

In order to provide the continuity of a professional public service, it is not expected that a Deputy Minister will advise you on partisan political issues. In fact, throughout my career I would regularly excuse myself from meetings where such partisan issues emerged. In addition, Deputy Ministers protect their neutrality and maintain clear Ministerial accountability for policy by avoiding promotion of any issue under partisan political debate.

**Setting the Agenda**

The first problem you are going to face is a truckload of briefings on issues you are only vaguely familiar with. I understand from other Ministers that this is a very humbling experience. You might take some comfort in the fact that, even after decades of experience in government, Deputy Ministers also find this to be one of the most difficult experiences they encounter when they are appointed to a new department. Most Deputy Ministers do not feel fully comfortable with their knowledge of a new department for at least the first six months following their appointment.

It is essential for you to learn all about the ongoing responsibility and work of your department. Remember that you became legally and politically responsible for whatever is happening, the moment you were sworn in. The “scandals” and “problems” related to the ongoing work will tend to distract people from the worth of your new initiatives – be watchful. And the department depends on you to provide the essential political direction to their work. New policy is usually rooted in the experience gained from the present policy. If you don’t understand what is going on now, you will find it very difficult to fashion your own agenda.

My observations over the years have taught me two things about agenda setting. First, you have to establish an agenda of between three and five items, and you have to do that within the first two to three months. Otherwise, someone else will establish your agenda – an agenda that you may not want or like. Secondly,
there are all sorts of ways to determine your agenda; but in the final analysis, you have to ensure that several key players know this agenda, and that they will cooperate with and support you in accomplishing it. This includes the Premier, the Cabinet, the Executive Assistant, and your Deputy Minister.

There are all sorts of ways to establish an agenda. Some Ministers come with an established agenda that they have developed as opposition critic for a particular department or from previous experience in the field. Other Ministers arrive in the department and listen carefully to department briefings and options until they find something that they want to run with. Some Ministers want to make a change, but they have found that the department is not capable of quickly responding to their new thrust in a particular area. These Ministers often utilize outside advisers or their Executive Assistant to help formulate a new policy direction.

I have seen successful Ministers in every one of the above categories. In fact, the most successful Ministers are the ones who are able to change their approach depending on the requirements of the portfolio.

**Managing the Department**

You should not try to run your department. You will turn into a bureaucrat if you do. But you do have to establish the broad expectations with respect to management, programs and policy within which the Deputy Minister can manage the department. When you develop a strong working relationship with your Deputy Minister, you can delegate a great deal and know it is in good hands.

The problems between Ministers and Deputy Ministers emerge mostly when the Minister does not have an agenda, knows little about the department, is suspicious of the public service, but gets involved in an ad hoc way in many operational and management issues such as contracting, staffing or program expenditures. This often causes communications problems, and can result in serious difficulties in managing the department.

There is an old quotation from the Nixon years that aptly describes this problem: “When operations flow to the top, policy flows to the bottom.”

The more a Minister gets involved in operational decisions, the more decisions will flow up to the Minister. When political judgments are routinely added to administrative decisions, it becomes impossible for the Deputy Minister or senior officials to make management decisions without the Minister’s input. In most medium-sized or large departments this swiftly leads to one thing - overload. Ultimately, the Minister becomes so swamped with work that he or she cannot spend the time required to set the agenda and define the major policy or management thrusts for the department. This creates a vacuum in policy direction in the
department, which is eventually filled by officials who have to establish some sort of decision making guidelines. Departments abhor a directional vacuum. If Ministers do not establish the direction, their departments will, by default.

Don't worry about delegating responsibility. Contrary to popular belief, there have been no resignations of Ministers for administrative errors committed by department officials in more than 100 years. The only exception has occurred when the Minister has been personally involved in the decision, or lacked judgment in directing his or her officials. The Minister should instruct department officials that they are to bring any problems or concerns in sensitive areas to his/her attention, and make it clear that he or she wants to approve particular types of administrative actions. In addition, Ministers are expected to act swiftly to correct any mistakes that are made by officials.

Notwithstanding these caveats, Ministers should not take their responsibilities for department management lightly. In the public sector, it is true that good administration is not an end in itself. As the Glassco Commission pointed out years ago, good management is not necessarily good politics. However, administration and management have to be undertaken with appropriate sensitivity to the needs of clients and the policies of the government.

You're aware that Ministers who have side-stepped the contracting process, for example, or given out grants which did not fit normal funding criteria, have faced severe, sometimes brutal questioning in the House of Assembly. I know that one of your reasons for entering politics was to "clean up government."

Thus, I feel comfortable advising you that there will be many temptations to favour those people who supported your party, or to help a particularly needy person you just happen to know. But the Newfoundland and Labrador public is highly intolerant of any type of actions by Ministers which can be associated, however, vaguely, with "patronage." I have observed Ministers reject the advice of their officials in instances like this, only to pay for it with their jobs a few months later when their decisions became public. You should make every decision expecting that you will read all about it in the morning paper!

To sum up, I'd like to offer you five major suggestions that can contribute to your success as a Minister in the provincial government:

1. Develop an agenda of three to five items which you feel comfortable with, and which meet the requirements of the department and the government of your clients. Define your role as Minister and allocate your time to achieving this agenda;
2. establish a healthy open relationship with you Deputy Minister and Executive Assistant, and help to build an effective working team whose members respect one another. This will enable these major players to reconcile management and policy concerns with partisan concerns and your needs and requirements as Minister;

3. avoid making the mistake of trying to manage the department or setting up a political staff which second guesses and mistrusts the bureaucracy. This will cause you nothing but trouble in the long run;

4. take a leaf from the notebook of some previous Ministers and learn about the workings of the department and what makes it tick; and then find out what levers you have to pull or buttons you have to push to help you achieve your agenda. Some Ministers have made considerable effort to meet with regional staff and department officials for precisely this purpose. These types of initiatives create the kind of enthusiasm and dedication among staff which can help a Minister to get things done;

5. establish a clear framework of expectations within which the Deputy Minister should manage the department on your behalf, and hold him/her accountable for his/her judgment.
2. Structure of Government

2.1. Governance Overview

Governance is the constitutional direction of policy, actions, and affairs of state, or the exercising of authority on behalf of a public or private organization. There are two primary vehicles for governance in the constitutional setting in Newfoundland and Labrador: the government, including the Cabinet, and the Legislature.

2.2. How the Government is Formed

The Government of Newfoundland and Labrador is accountable to the people of the province through the House of Assembly. Members of the House of Assembly (MHAs) are the elected representatives. There are
40 MHAs, representing each of the electoral districts in the province. The people of the province elect MHAs in a general election every four years in accordance with the House of Assembly Act.

Prior to the election, the Premier asks the Lieutenant Governor to dissolve the House of Assembly. The Lieutenant Governor issues a Proclamation to dissolve the House of Assembly and initiate the election process. Proclamations are published in the Newfoundland and Labrador Gazette, which is available from the Office of the Queen’s Printer, or online at http://www.servicenl.gov.nl.ca/printer/gazette/index.html.

2.3. The Executive Branch

The Executive Branch of Government includes the Lieutenant Governor, Premier, and the Cabinet, which collectively have broad decision-making authority granted under the Executive Council Act.

2.4. The Legislative Branch

The Legislature, or law-making body, in Newfoundland and Labrador is the House of Assembly. It is a forum in which the elected representatives of the province come together to publicly discuss and form the laws of the province, articulate local and other interests, and engage in political communication. The House of Assembly Act is the foundational act of the legislative branch of Government.

The House of Assembly does not make policy or govern; rather, it provides the government with the authority, funds, and other resources necessary for governing the province. Its rules of procedure are known as the Standing Orders of the House of Assembly and they can be found at the following web link: http://www.assembly.nl.ca/business/standingorders/.

The administrative framework of the House of Assembly is governed pursuant to the House of Assembly Accountability, Integrity and Administration Act. This includes six statutory offices of the House of Assembly: the Auditor General; the Chief Electoral Officer; the Citizen’s Representative; the Child and Youth Advocate; the Commissioner for Legislative Standards; and, the Information and Privacy Commissioner.

2.4.1. Government House Leader

The Government House Leader acts as the chief advisor to the Premier on House of Assembly procedures and processes.
The Government House Leader Advises On:

- The Standing Orders of the House of Assembly
- The long-standing constitutional and parliamentary conventions of the House of Assembly
- Rulings of the Speaker with respect to the Standing Orders and conventions of the House of Assembly
- Managing the legislative agenda of government
- Other business of the House of Assembly, including motions and resolutions that are placed on the Order Paper for debate and vote

The Government House Leader conducts discussions with opposition leaders and opposition House leaders, including proposals for the structure and mandates of committees, and the business and legislative agenda of the House of Assembly.

2.4.2. How a Bill Becomes a Law

Legislation goes through a number of stages before becoming law. The multi-stage process developed as a means of ensuring that the laws of the land are thoroughly considered before they are enacted. The Minister proposing to introduce legislation first gives notice of his/her intention to introduce a Bill which is the legislation in draft form.

The Bill is then introduced and given First Reading which is a formal stage at which there is no debate. The Bill is printed and distributed after it has received First Reading.

Second Reading is the stage at which the principle of the Bill is debated. Members may speak once for 20 minutes, except for the Minister introducing the Bill who is entitled to speak for one hour, and the member replying immediately to the proponent who is also entitled to one hour. An exception to this rule is that the proponent of a Bill is entitled to speak a second time to close debate.

After Second Reading, the Bill is referred to a Committee of the Whole for consideration of the details, the so-called Clause by Clause stage. In Committee of the Whole, Members may speak as often as they wish. When the Committee has concluded consideration of the Bill, a Member moves that the Committee rise and report. The Chair of Committees returns to his or her place in the House
and makes his/her report. If the Bill has been carried in Committee, the House will order that the Bill be read the third time which is usually done right away.

The three readings must be carried out on separate days unless leave is given by the House to waive this requirement.

When a Bill receives Third Reading, it must be given Royal Assent by the Lieutenant Governor, or, in his/her absence, the Administrator, in order to become law. Once this stage has been carried out, a Bill is in force unless it is subject to proclamation at a later date. Sometimes a Bill receives Royal Assent with the exception of certain provisions which are reserved for later proclamation.

Bills which have as their object the expenditure of public funds go through a slightly different procedure than other Bills. They must be accompanied by a Recommendation of the Lieutenant Governor, as the Crown alone initiates public expenditure. Appropriation Bills also include a Resolution setting out the amount to be voted. The debate on the Resolution and the clauses of the Bill takes place in Committee of the Whole after which the Bill receives three readings in the House without further debate.

2.4.3. House Standing Committees

Standing Order 65 establishes a number of Standing Committees of the House of Assembly, such as: Government Services Committee, Social Services Committee, Resource Committee, and Public Accounts Committee. These committees are generally engaged to review estimates for more detailed consideration and debate but other matters may be referred to them in accordance with the Standing Orders. Once a Committee has examined and prepared a report, that report is referred back to the House of Assembly for further debate, if necessary. In certain circumstances, the House of Assembly may refer Bills to a Select or Special Committee of the House of Assembly, established under Standing Order 66, for examination and public input. The last time a Bill was referred to a House of Assembly Standing Committee was in 2001.

2.4.4. Cabinet

Cabinet authorizes the introduction of a public Bill (draft legislation) into the House of Assembly after considering a Memorandum to Cabinet from a Minister. A Minister of the Crown will give notice of government’s intention to introduce new legislation or to amend existing legislation. The notice of the Bill is placed on the Order Paper (ordinary daily routine of business in the House). The timing of the introduction of a government public Bill is a decision of the government.
2.5. Accountability

The principle of accountability is fundamental to the concept of good governance. Accountability has come to mean more than the responsibility of an organization to report financial statements to its clients; it includes effective planning, strategic priority setting, and regular reporting to the public on performance. An effective accountability framework assures the public that government is meeting its objectives and carrying out its mandate.

One element of accountability is the public debate in the House of Assembly, during Question Period or in debates on proposed legislation.

2.5.1. Ministerial Responsibilities under the Transparency and Accountability Act

The Transparency and Accountability Act ensures greater openness and accountability of all government departments and public bodies. Ministerial responsibilities under the Transparency and Accountability Act can be grouped as follows:

2.5.1.1. With Respect to Government Departments

Under the Transparency and Accountability Act, Ministers are responsible for tabling three year Strategic/Business/Activity Plans of the departments or agencies within their mandates in the House of Assembly no later than three (3) months after the beginning of the first fiscal year of the period covered by plans. Plans are performance-based, identifying planned results (through goals and objectives) to be achieved on a yearly basis. The Act requires that Ministers state they are accountable for the preparation of plans and achievement of goals and objectives.

Ministers are also responsible for the tabling of the subsequent annual performance reports against these plans no later than six (6) months after the end of the year in question. Departments with strategic and business plans are required to compare actual results with planned results in annual reports and explain any variances in the annual report. The Act requires that Ministers clearly state in writing that they are accountable for the results reported within the annual reports.

2.5.1.2. With Respect to Public Bodies

Ministers are responsible for tabling the plans and reports of public bodies (largely entities that are appointed by Lieutenant Governor in Council, but are not core government departments or
agencies). These can range from such entities as Regional Health Authorities or Crown Corporations such as Nalcor Energy, to quasi-judicial bodies or other agencies, boards and commissions. Unlike for the plans and reports of core government departments, it is the governing boards of these public bodies that are formally accountable for the results; however Ministers remain responsible for tabling these reports in the House. The roles of the Ministers are therefore to, through their Departments:

- communicate planning and reporting expectations based on the public body’s assigned categories;
- set and communicate a date for the submission of draft plans;
- approve public body plans so long as they take into account: the strategic directions of government; the entity’s mandate; and the fiscal resources at their disposal; and,
- review public body reports to ensure that they: provide sufficient information and meet their objectives. Where an entity is not meeting its established objectives, the Minister may make recommendations to the entity, make a report to Cabinet and/or direct the public body as required.

Although the heads of public bodies are formally accountable for reporting on their plans, it is the Minister who must table a letter of non-compliance if a plan or report is not tabled as required by the Act.

All plans will include performance measures. Public bodies with strategic and business plans are expected to compare actual results with planned results and explain any variances.

2.5.1.3. Non-Compliance Statements

When the House of Assembly is in session, Ministers are expected to rise and publicly issue non-compliance statements where a plan or report: (i) is not made public within required timeframes; (ii) does not include all required information or, (iii) does not present the information in the required manner. These statements of non-compliance may be made independently or as part of a plan or report. When the House is not sitting, these statements should be filed with the Clerk of the House of Assembly.

2.5.1.4. Incorporation

Incorporation of a new entity, under the Corporations Act, requires prior approval of Cabinet. Cabinet will determine the purpose, powers, governance structure and authority to borrow/incur
debt of the new incorporation. The responsible Minister will provide a public statement within four weeks after the date of incorporation.

2.5.1.5. Power to Borrow/Incur Debt

Day to Day Borrowings
If a public body is authorized to borrow by Act/articles: (i) approval of the annual estimate of borrowings by the responsible Minister is required; and (ii) approval of the annual estimate of borrowings by the Minister of Finance is required.

Capital Borrowings
If a public body is authorized to borrow by Act/articles: (i) approval of the responsible Minister is required; (ii) approval of the Minister of Finance is required; and (iii) the Minister of Finance gives notice to House within 12 days.

These requirements do not apply where Cabinet approval is required by the enabling legislation of the incorporation.

2.5.1.6. Performance Contracts

The Transparency and Accountability Act requires that Deputy Ministers and equivalents enter into performance contracts with their Ministers and that Chief Executive Officers (CEOs) of public bodies enter into performance contracts with the Chair of the governing body.

Cabinet Secretariat operates the Deputy Ministers Performance Management Program which covers all Deputy Ministers and equivalents. Performance contracts are prepared according to policies developed by Cabinet Secretariat and draft contracts are reviewed and approved by the Clerk of Executive Council with support provided to program participants by his/her office. Deputy Ministers and equivalents should consult Ministers during the development of their plans to ensure that the priorities identified are consistent with the Minister's priorities. To be executed, contracts are signed by the Deputy Minister, the Minister and the Clerk. An assessment is prepared by Cabinet Secretariat at the end of each year (or assignment). The Clerk consults with the Minister as part of this assessment. The program has a reward component, but this has been suspended since 2013-14 due to fiscal circumstances.

CEOs and equivalents of public bodies not covered by this program are also required by the Act to enter into performance contracts with the Chairs of their respective boards.
2.6. Auditor General

Another element of accountability is the Office of the Auditor General. The Auditor General is empowered through the Auditor General Act to examine the financial statements prepared in accordance with the Financial Administration Act to determine whether they fairly present the financial situation, results of operations, and changes in the financial position of the province in accordance with the disclosed accounting policies of the provincial government. The Auditor General is required to annually table a report in the House of Assembly summarizing these examinations. The report must be submitted by January 31 of the year following the end of the fiscal year.

2.7. Accountability and the Budget Process

The administration of the financial affairs of the province is based upon the obligation of the House of Assembly, as the elected representatives of the people, to ensure that the public purse is properly managed and controlled. Control is exercised through legislation which holds government accountable to the House of Assembly and the public for the way it manages the province’s financial and other resources.

Ministers are responsible for their respective departments’ programs and overall administration in accordance with government’s policies and applicable legislation, and are answerable for these responsibilities in the House of Assembly.

2.7.1. The Budget Process

It is the responsibility of the government to set the overall strategic direction for the province, describing the manner in which the finances of the province will be used to achieve desired outcomes. This is accomplished during the budget process, through which departments submit budget requests for review and approval. The Budget, government’s financial plan, is constructed on an annual basis based upon the departmental budget requests and, after receiving the approval of Cabinet, is presented in the House of Assembly by the Minister of Finance and President of Treasury Board.

The Budget forecasts are supported by the Estimates, a physical document which is tabled in the House of Assembly, and which contains the details of planned expenditures and revenues and public debt information for the upcoming fiscal year. The Budget and the Estimates are both forecasts of the future fiscal year. The Public Accounts reflect the actual financial transactions that occurred in the previous fiscal year.
The Budget process commences in late summer or early fall when budget guidelines are issued to departments by the Department of Finance.

2.8. The Judicial Branch

The judiciary includes the superior court known as the Supreme Court of Newfoundland and Labrador (established pursuant to the Judicature Act) and the lower court known as the Provincial Court of Newfoundland and Labrador (established pursuant to the Provincial Court Act, 1991). The courts are integral to the operation of democratic society through their independent function of judicial interpretation and review. While the Cabinet develops policies to be made into law and the House of Assembly debates, refines, and passes legislation, the courts interpret the laws and apply them to cases.
3. Roles and Responsibilities

3.1. The Lieutenant Governor

The Office of the Lieutenant Governor is created under section 58 of the Constitution Act, 1867, which states that for each province there shall be a Lieutenant Governor, appointed by the Governor General in Council. The role of the Lieutenant Governor is largely undefined in the Constitution Act, 1867.

**Responsibilities of the Lieutenant Governor**

- To be the Queen’s representative in the Province
- To keep a government in place in the province by ensuring that someone is in a position to lead the government
- To enhance the image of the Crown through ceremonial duties, hosting social events, leading awareness initiatives and supporting community groups

Section 59 of the Constitution Act, 1867 provides that the Lieutenant Governor holds office during pleasure of the Governor General, but may not be removed within five years after his appointment except with cause.

The Lieutenant Governor cannot exercise political power in practice. However, he exercises some limited political power when dissolving the House of Assembly or appointing a new government if no party holds a majority following an election.

The Lieutenant Governor acts on the advice of the Premier and the Cabinet and has the right to advise, to encourage, and to warn. As a result, the power of the state is held in a non-partisan office, above the conflicts of the political process.

3.1.1. Functions of the Lieutenant Governor

The Lieutenant Governor discharges a wide range of functions:
Opening the Legislature and Delivering the Speech from the Throne

The Premier chooses the date for the opening of a new session of the Legislature and advises the Lieutenant Governor. The Lieutenant Governor signs the Order in Council and the proclamation to make the date effective and fulfills a ceremonial role at the opening of the Legislature, primarily through the reading of the Speech from the Throne, which articulates the priorities of the Government.

Proroguing the Legislature

The ceremonial termination of a session of the House of Assembly is called the prorogation of the Legislature. All House of Assembly business comes to an end. Bills remaining on the Order Paper die and must be re-introduced as new items in a subsequent session. The prorogation of a session of the Legislature is the prerogative of the Crown.

If the sitting of the Legislature has already ended when the government wants to prorogue, the Lieutenant Governor signs an Order in Council and proclamation indicating this decision.

If the decision to prorogue is made before the end of the sitting, the Lieutenant Governor delivers a short speech in the House of Assembly to effect prorogation.

Dissolving the Legislature

Notwithstanding prescribed fixed election dates, the call for a by-election or ‘snap’ election (which are not required by law or convention) are up to the Premier, and the Premier advises the Lieutenant Governor. In rare circumstances, however, the Lieutenant Governor may deny the request for dissolution if it would not be in the best interest of the electorate. For example, the Lieutenant Governor may decide that two general elections within a very short period of time are not in the public interest. In that case, the Lieutenant Governor may appoint as Premier any member who commands the confidence of the House (typically the Leader of the Opposition).

An election is triggered by the Lieutenant Governor issuing proclamations to i) dissolve the Legislature and ii) designate the date of the general election.
Approving Provincial Legislation and Other Statutory Decisions
The Lieutenant Governor approves statutory decisions to give them force of law, which signals the end of the approval process.

As the Queen’s representative, the Lieutenant Governor must give final approval to all of the province’s laws after they have been enacted by the House of Assembly. The Lieutenant Governor completes the legislative process by conferring Royal Assent to a Bill and by signing proclamations. The Lieutenant Governor also signs Orders-in-Council and proclamations that are recommended by Cabinet.

Appointing Members of the Cabinet and Other Executive Functions
Appointments to, and resignations from, Cabinet are always made on the advice of the Premier. The Cabinet is the Lieutenant Governor’s formal advisory body.

The Lieutenant Governor also has the right to perform other executive functions, such as the appointment of provincial judges. This would always be on the advice of the Cabinet.

Selecting a Premier
When election results indicate a change in government is required, the Lieutenant Governor officially accepts the resignation of an incumbent Premier and formally asks the lead of the majority party in the House of Assembly to form the government.

If no party holds a majority in the House of Assembly, the Lieutenant Governor can ask any member who has the confidence of the House of Assembly to form the government. A minority government can maintain the confidence of the House through coalitions or through less formal arrangements between parties.

In the case of the death of a Premier in office, the Lieutenant Governor may be called upon to exercise authority if the successor is not obvious and the caucus of the governing party is unable to quickly decide upon a new leader.

Dismissing the Government
The Lieutenant Governor formally relieves the government of its duties when warranted. Normally, that action is already determined through an election, and the Lieutenant Governor accepts the Premier’s resignation.
Ceremonial Role
In addition to playing a ceremonial role at the opening and proroguing of the Legislature, the Lieutenant Governor plays a key role in several high profile ceremonies, including:

- his own installation as Lieutenant Governor;
- officiating at the swearing-in ceremony for a new government and new Cabinet Ministers during the government’s term of office;
- signing ceremonial certificates;
- presiding over honours and awards ceremonies; and
- receiving foreign dignitaries who visit the province.

3.1.2. Lieutenant Governor of Newfoundland and Labrador
The Honourable Frank F. Fagan, C.M., O.N.L., M.B.A. has served as the Lieutenant Governor of Newfoundland and Labrador since March 2013. Terms of office are generally for five years with the possibility of extension. His Honour became the Lieutenant Governor following a distinguished career in business and many years of community service. His Honour is married to Her Honour, Mrs. Patricia Fagan.

3.1.3. The Administrator of the Government of Newfoundland and Labrador
The Administrator is appointed by the Governor General in Council (the Governor General acting on the advice of the federal Cabinet) under section 67 of the Constitution Act, 1867 to execute the office and function of the Lieutenant Governor during his absence, illness, or other inability to act. The Honourable Chief Justice J. Derek Green, Chief Justice of Newfoundland and Labrador, was appointed Administrator of the Government of Newfoundland and Labrador, on April 2, 2009.

Cabinet Secretariat liaises with the Office of the Lieutenant Governor to facilitate the signature on documents requiring his approval or, in the absence of the Lieutenant Governor, the approval of the Administrator.

3.2. The Premier
The Premier is appointed by the Lieutenant Governor, and is usually the leader of the political party that commands a majority in the House of Assembly. The Premier is the head of the Cabinet and leads the process of setting overall government policy. Cabinet Ministers, senior officials, and others occupying principal offices in government are selected by the Premier.
3.3. Ministers of the Crown

3.3.1. Cabinet and Executive Council

The terms Cabinet and Executive Council have traditionally been interchangeable in Newfoundland and Labrador; however, they are two distinct entities.

Executive Council
- Appointed by the Lieutenant Governor pursuant to the Executive Council Act
- Legal entity – the Lieutenant Governor’s formal advisory body
- Legal decisions that are required (legally or by convention) to be presented to the Lieutenant Governor are presented on the advice of the Executive Council (these are usually Orders-in-Council, regulations and proclamations).

Cabinet
- Premier’s advisory body selected by the Premier to provide strategic and political advice
- Proposed to the Lieutenant Governor to be members of the Executive Council and Ministers, and are sworn in as such, they along with the Premier constitute the Executive Council and by convention ‘the government’
- Has no actual legal authority and is not established under any statute

Cabinet is supported by the Clerk of the Executive Council and public servants employed in Cabinet Secretariat.

3.3.2. Selection and Appointment Process

The Lieutenant Governor appoints members of the Cabinet under the Executive Council Act on the advice of the Premier. The appointees are Ministers of the Crown; and the Premier serves as the Lieutenant Governor’s chief advisor.
### 3.3.3. Ministers’ Responsibilities

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<th>Role</th>
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<td>Political head of the department</td>
<td>Works with the Premier and Cabinet to set the policy direction for the department</td>
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<tr>
<td>Works with the Premier and Cabinet to set the policy direction for</td>
<td>Submits policy proposals to Cabinet</td>
</tr>
<tr>
<td>the department</td>
<td>Works with the Deputy Minister to implement the department’s mandate, including statutory requirements</td>
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<td></td>
<td>Acts as the government representative on matters pertaining to the portfolio</td>
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The Ministers collectively are answerable to the Legislature for the policy and conduct of the Cabinet as a whole. Cabinet solidarity is absolutely essential to the successful operation of the Cabinet system of government. If a Minister does not agree with a particular policy or action of the government, he or she must either accept the policy or action and, if necessary, defend it, or resign from the Cabinet. This is known as "the collective responsibility of the Cabinet," and is a fundamental principle of Westminster Parliamentary government, on which Canadian governments are based.

Through their executive role, Ministers are charged with supervising the administration of their departments. They provide direction and leadership, establish priorities, and transmit the Premier's, their own, or their party's perspective to ensure that public servants remain accountable to the democratically-elected leaders and to the public. The principle of Ministerial responsibility means that the Minister is publicly responsible for the activities and actions of his department, regardless of whether he or she was personally responsible for the action in question.

**Ministers’ Alternates**

Two Ministers are usually appointed as alternates for each Minister with a portfolio to act for the Minister during temporary absences; this is given effect through under the authority of the Prerogative of the Crown, section 6 of the *Executive Council Act* and section 3 of the *Financial Administration Act*. If Ministers are absent from the province for more than one full working day, their duties and responsibilities will be discharged on an acting basis.
Ministers’ Alternate assignments are permanent, which permits them to build experience over time in another portfolio and facilitates transition when acting for a colleague in an emergency situation.

Oaths of Allegiance and Oaths of Office
All Ministers take an Oath of Allegiance when they are sworn in and an additional Oath of Office related to their specific portfolio responsibilities.

3.3.4. Ethical Standards
As public office holders, Ministers and Parliamentary Secretaries are subject to the House of Assembly Act (sections 20 through 33), the Members’ Code of Conduct and Conflict of Interest Guidelines administered by the Commissioner for Legislative Standards.

Accountability to the residents of Newfoundland and Labrador is paramount. Ministers and Parliamentary Secretaries conduct shall be in accordance with the highest standards of professionalism, honesty, and ethics to ensure public confidence and trust in the integrity of the government. The Premier holds Ministers and Parliamentary Secretaries to these standards of conduct for all their actions, in both their public and personal lives.

In carrying out his or her duties, the Minister or Parliamentary Secretary should seek and consider the non-partisan advice from the public service, as such advice can contribute to the confidence of the public. It is also important for Ministers and Parliamentary Secretaries to recognize the confidentiality of such advice and information provided.

Further, Ministers and Parliamentary Secretaries are expected to understand the importance of engaging and involving members of the general public in public policy development and the decision-making process. Ministers and Parliamentary Secretaries must treat and engage members of the general public with honesty and respect.

Public office holders, in fulfilling their official duties and functions, shall make decisions in the public interest and with regard to the merits of each case.

Ministers are public figures and, as such, their actions can reflect upon the Cabinet and the government as a whole. For this reason, Ministers are expected to maintain standards of personal conduct that are beyond reproach.
3.3.5. Conflict of Interest Guidelines

Ministers shall place in blind trust all assets, financial interest, or other sources of income and trustees shall be other than members of the Minister’s immediate family; and Ministers shall cease to serve as directors or officers in a company or association.

Ministers must directly pay any costs associated with establishing and maintaining the blind trust; Ministers must submit paid invoices to the Commissioner for Legislative Standards for verification and approval and, subject to the Commissioner’s approval, invoices may be submitted to the Minister’s department for reimbursement to the Minister.

Advice and additional information on Conflict of Interest can be sought from the Commissioner for Legislative Standards.

3.3.6. Policy for Ministers Receiving Gifts

Where gifts are received by a Minister at any time of the year, the applicable provisions of the Conflict of Interest Act, 1995, are used as a guideline and are as follows:

7(1) A public office holder shall not, directly or indirectly, accept a fee, gift, or personal benefit, except compensation authorized by law, that is connected, directly or indirectly, with the performance of his or her duties.

7(2) Subsection (1) does not apply to a gift or personal benefit that is received as an incident of the protocol or social obligations that normally accompany the duties or responsibilities of the public office holder.

Given that this wording is open to some interpretation, it is expected that Ministers shall use sound judgment when gifts are offered. In this regard, especially should the gift be alcohol or a consumable, one appropriate approach is to donate the gift to a social club or charity of the Minister’s choice. Following the donation, it would be appropriate to write the individual or group who provided the gift to thank them and advise of how the gift was dispersed.

As subsection 7(2) above indicates, it is acceptable to accept a gift received as an incident of protocol which accompanies the duties and responsibilities of a Minister.
Under House of Assembly rules, any gift valued at over $200 must be reported to the Commissioner of Legislative Standards.

### 3.4. The Cabinet

Cabinet meets regularly to consider policy, program, regulatory, and financial issues, as put forward by departments. Decisions resulting from Cabinet meetings are recorded as Minutes of Council (MCs); when they require the assent of the Lieutenant Governor, they are documented as Orders-in-Council (OCs) and are posted online at: [http://www.exec.gov.nl.ca/exec/Cabinet/oic/index.html](http://www.exec.gov.nl.ca/exec/Cabinet/oic/index.html). Cabinet may approve legislation to be introduced in the House of Assembly, but may not enact legislation on its own.

Decisions of Cabinet are required for matters as specified in legislation (for example, an Act may require the authority of the Lieutenant Governor in Council); however, they may also be taken for broad policy matters for which a Minister wishes to confirm the concurrence of his or her Cabinet colleagues.

### 3.5. Parliamentary Assistant / Parliamentary Secretaries

Under the *Parliamentary Assistant Act*, the Lieutenant-Governor in Council may appoint a Member of the House of Assembly to be a Parliamentary Assistant to the Premier. The duties of Parliamentary Assistant are to assist the Premier in the manner that the Premier directs. The Parliamentary Assistant is not a member of Cabinet, is not included in the swearing in ceremony, and is not entitled to a salary.

Parliamentary Secretaries are appointed by the Lieutenant-Governor in Council under the *Parliamentary Secretaries Act* to assist the Minister to whom he or she is assigned in the manner that the Minister directs and that may be prescribed by Cabinet. No more than four parliamentary secretaries may hold office at one time. Parliamentary Secretaries do not attend Cabinet meetings.

In 2015, through an Order-in-Council, the following roles and responsibilities of a Parliamentary Secretary were assigned:

- Making announcements and statements in the House of Assembly, on behalf of the Minister, relating to the relevant activities, plans and policies of the relevant government department;
- Responding on behalf of the Minister to questions posed to the Minister in the House of Assembly;
- Attending, at the request of the Minister, meetings of Policy Committees of Cabinet, when there is a Cabinet submission of that Minister on the agenda, and only for the portion of the meeting in which the Submission is under discussion. The Parliamentary Secretary would not have privileges to attend either Cabinet or a Special Committee of Cabinet;
• May take direct part, at the discretion of the Minister, in the administration of program delivery of a department but may not create legal obligations, exercise legal authority, or commit to expenditure of public funds; and
• May act as an alternate for the Minister in representing the department at public meetings or in receiving dignitaries or delegations but may not make any commitments on behalf of Government.

Parliamentary Secretaries are expected to maintain the same standards of confidentiality as a Minister and will be required to swear or otherwise affirm the appropriate Oath of Office. However, Parliamentary Secretaries are not included in the swearing in ceremony. The conflict of interest and blind trust guidelines applicable to Ministers apply to Parliamentary Secretaries.

Parliamentary Secretaries are not entitled to any additional salary and are to use the secretarial assistant assigned to him or her as a Member of the House of Assembly. Parliamentary Secretaries are eligible to be reimbursed for travel and living expenses pursuant to the Ministerial Expense Reimbursement Policy with the exception of the auto allowance option.

The benefits of Parliamentary Secretaries include serving as a support to Ministers with large portfolios and providing individuals with experience to support a potential future move to a Ministerial position.

3.6. The Role of the Public Service

The Public Service of Newfoundland and Labrador is the administrative arm of the Executive Branch and is accountable to the Premier, to Cabinet Ministers, to the House of Assembly, and to the public. It consists of government departments and agencies, and the public service employees who work in them. The core functions of the public service are to provide expert, non-partisan advice to the government and to faithfully implement policies, programs and services at the direction of the government, in accordance with legislation passed by the House of Assembly.

3.6.1. The Clerk of the Executive Council and Secretary to Cabinet

The Clerk of the Executive Council and Secretary to Cabinet is the most senior government official in the public service and reports directly to the Premier.
Functions of the Clerk of the Executive Council

- Supporting and coordinating the operations of Cabinet
- Providing support and advice to the Premier, essentially fulfilling the role of Deputy Minister to the Premier
- Providing leadership as the head of the public service

3.6.2. Departmental Executive Members

While the Minister is the political and public head of the department and is responsible to the public for the activities of the department, each department is led by a Deputy Minister who is the permanent, bureaucratic head. Deputy Ministers are selected by the Premier and appointed by the Lieutenant Governor at pleasure and are usually career public servants. Deputy Ministers are accountable to the Premier through the Clerk of the Executive Council.

The Deputy Minister of a department has two primary roles: to serve as the chief policy advisor to the Minister, and to manage the department. Deputy Ministers may be supported by Associate Deputy Ministers, Assistant Deputy Ministers, and Executive Directors. Officials in these positions are appointed in the same manner as Deputy Ministers.

3.6.3. Central Agencies

Central agencies are those government departments that provide administrative and corporate services to government as a whole. Central agencies for the Government of Newfoundland and Labrador currently include the following: (i) Office of the Executive Council (consisting of a number of entities as outlined below); (ii) Department of Finance; and the (iii) Public Service Commission.

3.6.3.1. The Office of the Executive Council

Office of the Premier

Headed by the Chief of Staff and composed of political staff, the Office of the Premier supports the Premier in carrying out the functions demanded of the head of government, leader of a
political party, and Member of the House of Assembly. The Office also provides coordination of political staff across government.

The Office of the Premier provides administrative support for the Premier, which includes coordinating the Premier’s agenda, travel and media relations, and preparing correspondence. The Office also provides the Premier with policy and political advice, generally on major issues that are likely to attract considerable public attention and deals with day-to-day matters in the Legislature. Finally, the Office liaises with the caucus and the party.

Cabinet Secretariat
Cabinet Secretariat is the agency of the public service that provides support to the Premier’s role of setting overall government policy, coordinating initiatives brought forward by ministers, and developing responses to government-level issues. The office is also the primary support for Cabinet and its Committees and provides for the effective and efficient operation of the Cabinet process. Cabinet Secretariat is led by the Clerk of the Executive Council and Secretary to Cabinet.

Protocol Office
The Protocol Office, reporting through Cabinet Secretariat, is responsible for the overall development, coordination and conduct of the government’s protocol activities. The Office provides expertise and a complete range of consultative and operational assistance in the organization and management of VIP visits, government ceremonial events, conferences, public events and hospitality functions. The Office is also responsible for maintaining a relationship with Government House providing for an effective flow of information on matters that involve the Lieutenant Governor and the Premier.

Policy Innovation and Accountability Office
The Policy Innovation and Accountability Office (PIAO) is responsible for ensuring compliance with and providing support to all government entities on the development of, and annual reporting against, strategic/business/activity plans, which must be prepared under the Transparency and Accountability Act. It is also responsible for ensuring compliance with and providing support on the Policy on Evaluation and the Regulatory Reform Initiative. It supports performance management and evaluation practices of government departments and various horizontal initiatives. PIAO also monitors and supports efforts to reduce the regulatory burden of government decisions and support efficient service delivery to individuals, businesses and other organizations. It leads initiatives to enhance the policy capacity throughout government by
supporting a network of policy professionals, development of standards and resources, and holding learning and networking events.

Communications Branch
The Communications Branch is responsible for managing the communications function of the Government of Newfoundland and Labrador. The Branch provides communications support to the Premier and coordinates communications across government. The Branch has overall responsibility for communications policy, planning, training, and evaluation and manages the provincial brand strategy.

The Branch coordinates communications and consultation activities of government departments, providing both long-term planning to achieve government's communications goals, and advice to navigate issues as they arise. The Branch leads and implements communications best practices in planning, media relations, measurement and tactics, including proactively seeking media coverage; using social media; and undertaking research with the NL Statistics Agency to inform communications planning and measurement.

Office of Public Engagement
The Office of Public Engagement (OPE) has a mandate to advance the practice of sound public engagement within the Government and throughout the province. Public engagement may consist of a wide array of approaches including information dissemination, consultation, supporting dialogue and collaborative decision-making.

The Office supports departments to implement high-quality public engagement activities and processes through design, facilitation, mentoring, training and the provision of resources and tools, including: focus groups, workshops, audience polling and various online and social media mechanisms including surveys, feedback forms and an online Dialogue Application. The Office, along with the Communications Branch, reviews departmental consultation plans to identify opportunities to strengthen engagement. The OPE also holds overall responsibility for Access to Information and Protection of Privacy legislation.

Women's Policy Office
The Women's Policy Office (WPO) is responsible for coordinating the development and implementation of government policies and programs to enhance the social and economic status of women. The Office provides leadership within the Provincial Government on issues affecting women and is consulted by departments and other entities for advice on the possible impacts for
women of new legislation, regulations and policies. WPO also administers the Violence Prevention Initiative, a multi-departmental community partnership to prevent violence in Newfoundland and Labrador.

Office of Climate Change and Energy Efficiency
The Office of Climate Change and Energy Efficiency (CCEE) was established in 2009 in recognition of the increasing importance of the issues and the need for high level leadership. The Office provides leadership within the Provincial Government for strategy and policy development on climate change and energy efficiency, and works collaboratively with other departments, including Natural Resources and Environment and Conservation.

A key part of the Office’s mandate is working collaboratively with other departments to ensure climate change and energy efficiency are considered, as appropriate, in developing and implementing provincial legislation, policies, programs, services and infrastructure decisions. The Office does not have responsibility for the delivery and implementation of programs and services, including regulatory matters, which fall within the mandates of line departments.

Human Resource Secretariat
The Human Resource Secretariat (HRS) provides leadership and support with respect to HR policy, planning, and program delivery. This includes employee relations management, public sector collective bargaining, HR issues addressed by the Treasury Board Committee of Cabinet, and implementing the human resources management strategy. The HRS is also responsible for the Office of French Services under the direction of the Minister Responsible for Francophone Affairs.

Labrador and Aboriginal Affairs Office
The Labrador and Aboriginal Affairs Office (LAAO) is responsible for coordinating the Provincial Government’s activities related to Labrador and Aboriginal affairs, including developing policy and programs, managing federal-provincial agreements, negotiating land claims, providing public information, and all matters of significant public interest in Labrador.

Office of the Chief Information Officer
The Office of the Chief Information Officer (OCIO) is responsible for information technology and information management coordination, planning, budgeting and policy development. It develops and operates computer systems and infrastructure for government departments, agencies, boards and commissions that are directly supported by the administrative support services of
departments. Working collaboratively with the private information technology sector, the Office maximizes business opportunities while meeting the information technology and information management needs of government.

3.7. Department of Finance

The Department of Finance is mandated to provide strategic leadership across Government in the development of fiscal, financial, statistical and economic policy. These responsibilities are primarily achieved through the provision of timely analysis and advice to government departments and agencies; Cabinet; and the Committees of Cabinet, particularly Treasury Board for which the Minister of Finance currently serves as President. It also oversees the management and control of provincial finances to ensure appropriate use of public funds.

The Clerk of the Executive Council has an important role in process issues relating to Budget making, and works with the Secretary to Treasury Board and the Deputy Minister of Finance to create a proposed budgetary strategy. The Department of Finance and Cabinet Secretariat examine budget submissions and provide analysis and advice.

3.8. The Public Service Commission

The Public Service Commission (PSC) is mandated with preserving and protecting the values associated with a politically neutral, professional, permanent public service, and therefore best support the elected government.

The Public Service Commission Act charges the PSC with responsibility to protect the merit principle in the appointment and promotion to permanent positions within the public service. The PSC administers the Employee Assistance Program, the Classification Appeal Board, the Management Grievance Process and the Conflict of Interest Advisory Committee under the Conflict of Interest Act. It also performs administrative investigations and handles harassment complaints at the request of agencies.

3.9. Line Departments

Line departments are those government departments that administer services and programs under legislation, and can be said to have lines of business. These departments are created under the Executive Council Act, and their powers, functions, responsibilities, and legislation are outlined under their Departmental Notices, as published in the Newfoundland and Labrador Gazette.
3.10. Officers of the House of Assembly

Auditor General
The Auditor General, governed by the Auditor General Act, is the auditor of the financial statements and accounts of the province. The Auditor General also evaluates management practices, and determines compliance with legislative and other authorities. The Lieutenant Governor in Council appoints the Auditor General for a term of 10 years (no reappointment). The current Auditor General, Mr. Terry Paddon, was appointed on May 29, 2012.

Chief Electoral Officer
The Chief Electoral Officer, governed by the Elections Act, 1991, is responsible for exercising general direction and supervision over the administrative conduct of elections and for enforcing fairness, impartiality and compliance with the legislation. The position is filled by resolution of the House of Assembly and holds office at the pleasure of the House (no fixed term). The current Chief Electoral Officer, Mr. Victor Powers, was appointed by resolution on May 26, 2011.

Child and Youth Advocate
The Child and Youth Advocate, governed by the Child and Youth Advocate Act, is an advocate for the rights and interests of children and youth, ensures that children and youth have access to services and that their complaints receive appropriate attention. The position is filled by the Lieutenant Governor in Council on a resolution of the House of Assembly. The advocate holds office for six years and may be re-appointed for a second term of six years, but not for more than two terms. The current Child and Youth Advocate, Ms. Carol Chafe, was appointed on December 16, 2010.

Citizens’ Representative
The Citizens’ Representative is governed by the Citizens’ Representative Act. He or she initiates investigations of provincial public bodies based on complaints received from citizens who feel they have been treated unfairly by government offices and agencies. The Citizens’ Representative is also the designated investigator of public interest disclosures made under the Public Interest Disclosure and Whistleblower Protection Act. The Citizens’ Representative’s jurisdiction has some restrictions. For example, there is no ability to investigate a decision of the House of Assembly, the Lieutenant Governor, a committee of the House of Assembly, the Lieutenant Governor in Council, the Executive Council, or a committee of the Executive Council. The Citizens’ Representative is filled by the Lieutenant Governor in Council on a resolution of the House of Assembly. The Citizens’ Representative holds office for six years and may be re-appointed for
a second term of six years, but cannot hold office for more than two terms. The current Citizens’ Representative, Mr. Barry Fleming, was reappointed on December 5, 2012.

Commissioner for Legislative Standards

The Commissioner for Legislative Standards, governed by the House of Assembly Act, is assigned responsibility for investigating and conducting inquiries to determine whether a Member has failed to fulfill any obligation under the code of conduct and to report to the House with recommendations as to appropriate sanctions. The Commissioner is appointed by the House of Assembly on the motion of the Premier following consultation with the Leader of the Official Opposition and representatives of other registered political parties having representation in the House of Assembly. The person appointed holds office for a term of five years and may be reappointed for further terms. Traditionally the Commissioner is the same person as the Chief Electoral Officer. The current Commissioner, Mr. Victor Powers, was appointed by resolution on May 26, 2011.
Information and Privacy Commissioner
The Information and Privacy Commissioner, governed by the Access to Information and Protection of Privacy Act, 2015 ensures public body compliance with the legislation. In general, the Commissioner investigates complaints and makes recommendations on access to records and the protection of personal information. The Information and Privacy Commissioner is established by the Lieutenant Governor in Council on a resolution of the House of Assembly. The Commissioner may hold office for six years from the date of his or her appointment, and he or she may be re-appointed for one further term of six years. The current Commissioner, Mr. Ed P. Ring, was first appointed on December 17, 2007 and was reappointed for a fourth two-year term on June 24, 2014.
4. Ministers’ Offices and Resources

4.1. General

Ministerial Offices are generally located within the Confederation Complex unless otherwise determined by government (e.g. the Department of Natural Resources is located at 50 Elizabeth Avenue). In some circumstances government has deemed a department’s headquarters to be located outside the capital region (e.g. the Forestry and Agrifoods Agency is headquartered in Corner Brook).

In addition to the Minister, his or her staff (including Executive and Constituency Assistants) may also be located within the Department for which the Minister has responsibility.

4.2. Acquisition of Departmental Space

Government departments operate from either owned or leased accommodation. The decision of which mode is used is a function of space availability, the urgency and duration of the requirement, and economic considerations.

4.2.1. Procedure

Government-owned buildings are owned, operated, maintained and administered by the Department of Transportation and Works (TW). The Department oversees and manages property and accommodation issues on behalf of all departments. Each department is responsible to identify the space requirements necessary to operate its programs. Once space requirements are identified, departments consult with TW concerning the accommodation details and Treasury Board concerning funding requirements.

Vacant space in owned buildings is allocated by TW. Where space is already occupied, generally the practice has been that tenants (departments) will not be displaced, have their spaces reduced or reconfigured without their notification and concurrence. As a result, it is often difficult to address the needs of expanding or restructuring departments in an expeditious manner. Departments are not charged for the space that they occupy in government buildings. The cost of operating the buildings is the responsibility of TW.

Requests for the development of new facilities are submitted by departments to Treasury Board through TW as part of the annual budgetary process. The decision to build significant new facilities would require a decision of Cabinet.
Requests for leased space are made to the Planning and Accommodations Division, TW. The requesting department is responsible for paying the annual or monthly cost associated with the leased space once it is acquired. Leased space is acquired by TW in accordance with provisions of Section 4 of the Public Tender Act. This is accomplished by public tender or by application of the exception provisions as provided for in the Act which may apply for leases of low dollar values, short term or emergency conditions, or renewal situations.

4.2.2. Existing Facilities

The Department of Transportation and Works maintains 366 owned building sites, with a total of 872 structures, including large and small buildings province-wide (as of March 31, 2015). The total maintained floor area is 630,000 square metres with an estimated replacement cost of $2.17 billion. There are 78 large buildings with a floor area greater than 2,000 square metres, comprising a total floor area of 450,502 square metres (71.5 percent of the total owned space).

The Department of Transportation and Works manages 300 leases on behalf of Provincial Government Departments and various Agencies, Boards and Commissions, totaling approximately 126,000 square metres (as of March 31, 2015). The annual leased value of this space is approximately $23.3 million.

4.3. Staffing

Generally, the current practice is for each Minister to have an Executive Assistant. In addition, each member of the House of Assembly (including Ministers) has a Constituency Assistant to provide support with respect to specific matters that arise in their electoral district/riding (such as helping constituents with navigating through government). Ministerial political staff are paid on the scales included in section 4.3.2 below. The Premier’s Office approve the hiring of all political staff, and Ministers hiring Executive Assistants and Constituency Assistants must consult with the Chief of Staff in the Premier’s Office prior to any hiring.

Directors of Communications are established and filled through the Strategic Staffing Division, Human Resource Secretariat. Further, a Departmental Secretary is assigned to each Minister. These positions are public service, rather than political support positions.
4.3.1. Classification Chart for Ministerial Political Support Staff

PS-04
Constituency Assistant to MHA
Secretary to Minister (Political Support)
Secretary to Parliamentary Assistant (Premier’s Office)
Secretary to Parliamentary Secretary

PS-07
Executive Assistant to Ministers
Executive Assistant to the Speaker
Executive Assistant for Government Members Office

4.3.2 Salary Scale Steps

Political support staff, when first engaged, would commence on step one of the appropriate PS salary scale. In the event that a political support staff member was retained prior to a General Election, for example, and continues employment post-election, salary step increases previously gained would remain.

PS-04 level employees are entitled to receive benefits similar to those of management/non-bargaining public service employees. PS-07 level employees are entitled to receive benefits similar to those of Assistant Deputy Ministers. Salary scales (effective July 1, 2015) are attached below.

PS-04
STEP 1 $44,331 STEP 2 $44,885 STEP 3 $45,439 STEP 4 $45,994 STEP 5 $46,548 STEP 6 $47,102 STEP 7 $47,656 STEP 8 $48,210

STEP 9 $48,764 STEP 10 $49,318 STEP 11 $49,873 STEP 12 $50,427 STEP 13 $50,982 STEP 14 $51,535 STEP 15 $52,089 STEP 16 $52,644

STEP 17 $53,197 STEP 18 $53,752 STEP 19 $54,307 STEP 20 $54,860 STEP 21 $55,414 STEP 22 $55,969 STEP 23 $56,522 STEP 24 $57,076

STEP 25 $57,632 STEP 26 $58,185 STEP 27 $58,739 STEP 28 $59,294 STEP 29 $59,847 STEP 30 $60,401 STEP 31 $60,956 STEP 32 $61,510

STEP 33 $62,064
4.3.3 Additional Information

Any public service employee accepting a Political Support Staff position must resign from the public service. Such employees shall be eligible to be paid any public service severance pay to which they are entitled at that time.

All Political Support staff members must participate in government’s Group Insurance Program (if eligible) and the Government Money Purchase Pension Plan or the Public Service Pension Plan.

4.4. Security

At the Confederation Building Complex, all employees and MHAs are provided with an electronic photo identification card to gain access into the buildings and to access certain areas within the buildings. The card provides a dual function, to identify the person and to provide access by holding the card close to, or in the proximity of a card reader. Employees must return their cards when their employment with government is finished.

The photo ID cards are to be worn by all employees and MHAs when they are in either of the buildings (East or West Block). Every visitor is required to sign in and obtain a daily visitor’s pass at one of the security desks. The daily visitor’s pass is a stick-on label which should be returned to security before leaving the buildings. Photo identification is required of all visitors.

Access to the House of Assembly for MHAs, staff and media is controlled at the security desk in the lobby of the Confederation Building, East Block. When the House is in session, access to the visitor’s gallery is further controlled by commissionaires at the entrance to the visitor’s gallery. Visitors to the gallery also have to walk through a metal detector and have any packages checked in with the commissionaires.

4.4.1. Obtaining Photo Identification Cards

The House of Assembly, through Corporate and Member Services, makes all arrangements for photo identification cards for all MHAs. All new MHAs and employees at the Confederation Building Complex should contact the manager of General Operations and Purchasing:
4.5. Cellular Telephone / BlackBerry

Ministers will be provided one cellular telephone/BlackBerry. This is also arranged through Corporate and Member Services and expenses must be allocated to the House of Assembly.

4.6. Media Inquiries

An important role for Ministers is the availability to respond to media inquiries. A prompt response will help prevent misinterpretations and ensure government’s messages are clearly communicated to the public. Where a Minister is away from the office, he or she should be in regular contact with the Communications Director/designate office to determine whether there are media issues requiring attention. Alternatively, he or she may also work out an arrangement with their portfolio’s Alternate Minister to undertake responsibility in his or her absence.

4.7. Communications and Consultations Protocols

To ensure that departments are aware of the expected information flow related to communications and consultations, the following protocols have been communicated to Ministers for the following communications documents. Established deadlines apply.

4.7.1. News Releases

Following sign-off by the Deputy Minister and Minister, departmental Communications Directors must send news releases to the Communications Branch for review and feedback. The Branch will then forward the approved release to the Director of Communications in the Premier’s Office for final approval. Generally, news releases must be submitted to the Communications Branch by 2:00 p.m. the day prior to release.

4.7.2. Ministerial Statements

Following sign-off by the Deputy Minister and Minister, departmental Communications Directors must submit to identified individuals in the Communications Branch at least two full working days prior to the date of delivery of the statement in the House of Assembly.
Upon direction from the Communications Branch, the Communications Director will send the statement for final approval to identified individuals in the Office of the Premier, Cabinet Secretariat, and the Communications Branch.

4.7.3. Communications Plans

Departmental Communications Directors are required to submit communications plans to the Communications Branch on a quarterly basis, as directed. Plans are also required for Budget and for all Cabinet papers, as well as for certain developing issues as identified. Plans must be approved by the Deputy Minister and Minister before they are submitted to the Branch for review.

4.7.4. Advertising / Marketing Campaigns

When consideration is being given to the development of promotional campaign or marketing materials, first contact should be made with the Marketing and Brand Management Division within Executive Council, which provides support and services in the areas of creative concept development, graphic design, and media buying, among others. The Division may be able to fulfill departmental requirements without the need to engage an outside agency. However, should it be determined that additional supports are required, the Division has a contract in place with M5 Marketing Communications to act as an Agency of Record for the Government of Newfoundland and Labrador. Whether the Marketing and Brand Division and the Communications and Consultations Branch are involved in the development process or not, promotional campaigns must be approved by the Branch and the Premier’s Office before final decisions are made on strategy and concepts. The final materials must also be approved prior to public release. In addition, all marketing materials such as websites, banners, billboards, reception invitations, brochures, posters etc. must be reviewed and approved by the Division and Branch to help ensure a consistent and strong brand identity for the Government of Newfoundland and Labrador. Departmental Communications Directors must submit province-wide advertising/marketing materials to the Communications and Consultations Branch while in the concept stage. Once the concept is approved, finalized materials must be submitted again for final approval before being released publically.

4.7.5. Consultation Plans

All departments are expected to engage the Office of Public Engagement early in the planning process for all consultations. Once consultation plans are developed and approved by the Deputy Minister and Minister, departmental Communications Directors must send consultation plans to the
appropriate Cabinet Officer and identified individuals in the Communications Branch and Office of the Premier for review, feedback, and approval. When both Cabinet Secretariat and the Communications Branch approve the plan, the Branch then provides it to the Director of Communications in the Premier’s Office for review and approval. Consultations plans must be approved by the Branch, and Cabinet Secretariat, and the Premier’s Office before consultations can proceed. Consultation plans must be submitted for review a minimum of at least two weeks in advance of intended start date.

4.8. Information Flow to the Office of the Premier

All information directed to the Office of the Premier must flow through Cabinet Secretariat. Decision/Direction Notes, Information Notes, and Meeting Notes must follow the approved templates on file with each Deputy Minister.

4.8.1. Briefing Notes

Final versions of Information Notes, Decision/Direction Notes, and Meeting Notes must be signed or initialed by the Minister or an email from the Minister indicating approval must be obtained prior to their forwarding to Cabinet Secretariat.

4.8.2. Matters Requiring a Decision

The Cabinet process is the preferred means of seeking direction. In circumstances where a decision is sought from the Premier outside of the Cabinet process, the appropriate briefing materials in the Decision/Direction Note format must be prepared and circulated to the Cabinet Secretariat.

4.8.3. Policy on Premier’s Correspondence

The Premier’s Office will provide to departments incoming correspondence requiring either a) a reply for the Premier’s signature, or b) a reply for the Minister on behalf of the Premier.

Where the reply is for the Premier’s signature, departments will prepare a draft response for the Deputy Minister’s and the Minister’s review. Upon receipt of approval from the Minister, departments will supply an electronic copy of the draft to the Premier’s Office.

Where the reply is for the Minister’s signature, departments will prepare a draft response for the Deputy Minister’s and the Minister’s review. The first paragraph of the response must indicate that the Premier has requested that the Minister respond to the incoming correspondence. The response
from the Minister must be copied to the Premier. When complete, and a response sent, departments will provide an electronic copy of the response to the Premier’s Office.

All correspondence received by the Premier must be responded to within ten (10) working days of the incoming letter arriving in a department for action. In exceptional circumstances, if there is a clear requirement for additional time to prepare a substantive response, a letter of acknowledgement should be forwarded to the Premier’s Office for signature within seven (7) days of the incoming correspondence arriving in the department for action. The acknowledgement letter must be as precise as possible with respect to the time frame within which a substantive response will be issued.

4.9. Reporting Requirements for Intergovernmental Meetings

Information flow respecting upcoming federal/provincial/territorial meetings and the reporting of outcomes following the meeting are essential to the Minister of Municipal and Intergovernmental Affairs being able to fulfill his or her responsibilities pursuant to the Intergovernmental Affairs Act. The purpose of receiving this information is to allow the Premier and/or Minister to provide advice or to seek further information that is required in advance of the meeting. It also enables the Minister to monitor any key intergovernmental issues discussed at these meetings and ensure consistency in the Province’s approach to the federal government and other provinces and territories.

If Ministers require the Premier’s direction on specific issues in advance of a meeting, a Decision/Direction Note should be submitted 5 to 10 days prior to the meeting.

4.9.1. Intergovernmental Correspondence

The Minister of Municipal and Intergovernmental Affairs should be copied on any incoming or outgoing correspondence with the federal government and other provinces, territories and sovereign governments.

In addition, correspondence to federal Ministers should be copied to Newfoundland and Labrador’s representative in the federal Cabinet.

4.9.2. Intergovernmental Agreements

Approval of Cabinet is required to obtain a mandate to negotiate an intergovernmental agreement.
Pursuant to the Intergovernmental Affairs Act, sections 6 and 7 require that the Minister of Municipal and Intergovernmental Affairs be party to the negotiation of all proposed intergovernmental agreements and that the Minister or his/her designate sign all such agreements.

Section 11 of the Executive Council Act provides that Cabinet authority may be required in order to sign an agreement. Cabinet authority is required regardless of the significance of the agreement or whether it is signed by Ministers or officials.

Departmental officials should consult with the Department of Municipal and Intergovernmental Affairs in the early stages of the negotiation process. The department will offer any assistance or advice required.

4.10. Management and Disposition of Ministerial Records

Ministerial records shall be held and managed separately in the Minister's office in accordance with the following three categories:

4.10.1. Record Categories

Cabinet Records - which are defined in the Management of Information Act and include, but are not limited to, all Ministerial submissions to Cabinet; analyses prepared by Cabinet Secretariat, Department of Finance Budget Division and the Human Resource Secretariat; agendas of Cabinet or Cabinet Committee meetings, including meetings of Treasury Board and Ad Hoc Committees of Cabinet; Minutes of Cabinet or Cabinet Committee meetings; other documents prepared for the deliberation of Cabinet Committees; the recommendations of Ministers to Cabinet or a Cabinet Committee, including correspondence between Ministers relating to matters that were under discussion by Cabinet or its Committees; briefing notes of and for Ministers associated with such matters; and the record of meetings at which they were discussed.

Government Records – which are defined in the Management of Information Act and include records created by, or received by, a public body in the conduct of its affairs, and which include a Cabinet record, transitory record and an abandoned record. Any documents created by and/or for a Minister in carrying out departmental functions are government records.

Members' Records - which include documents that relate to the Minister's constituency business and role as a Member of the House of Assembly representing a specific constituency; caucus and party political matters; and the private life and personal interests of the Minister.
4.10.2. Disposition of Ministerial Records

The following actions should be taken for the disposition of records held by a Minister of the Crown:

Cabinet Records
- Section 5.4(1) of the Management of Information Act states that Cabinet Records shall be managed in the manner determined by Cabinet Secretariat.
- When a Minister leaves office or resigns as a member of Cabinet, Cabinet Records shall be transferred to the control of the Clerk of the Executive Council.
- Should a Minister change Cabinet portfolios, the Minister may elect to bring existing Cabinet Records to the new portfolio or dispose of all or some of these in the same manner as if he/she were leaving Cabinet.
- Ministers shall retain an ongoing privilege to view copies of Cabinet Records of the Administration for which he/she is/was a member, through the Office of the Clerk of the Executive Council.

Government Records - when a Minister leaves office or resigns as a member of Cabinet, government records shall be transferred to the control of the Office of the Deputy Minister, who shall retain them until otherwise directed by the Clerk of the Executive Council.

Members' Records - shall be retained by the Minister and the Minister should refer to the guideline entitled, Managing the Records of Departing Members of the House of Assembly which can be found on the House of Assembly Intranet or obtained from the House of Assembly Records Office, for assistance on the appropriate management and disposition of Member's Records.

4.10.3. Cabinet Records of a Previous Administration

The long-standing tradition here, and in other parliamentary democracies, is for outgoing governments to leave their Cabinet records intact and in the custody of the Clerk of the Executive Council on the explicit understanding that they will not be revealed to members of succeeding ministries. Under this arrangement the Clerk takes responsibility for managing the records and, through the Clerk, appropriate continuity in the administration of government can occur. In cases where access to the decisions of previous administrations is necessary for the continuity of government, the Clerk will provide this information to the present administration, together with such factual information as is necessary, so long as this information does not reveal the opinions and recommendations of Ministers, or any differences of opinion among them.
In the case where former administrations were constituted by the same political party as the present government, Ministers can access the records as appropriate when the need arises in the course of their Ministerial duties. Former Ministers who are no longer members of the House of Assembly are permitted to view copies of those records of administrations of which they were a part. In cases where former administrations were constituted by a different political party, access to the records requires the explicit approval of the previous Premier or the senior ranking member of the ministry if the former Premier is unable to give consent.

Cabinet records of previous administrations contained in Department files are also subject to this protocol.

4.11. Access to Information and Protection of Privacy

4.11.1. Legislation

The Access to Information and Protection of Privacy Act (2015) is based on two fundamental rights of people in a contemporary democratic society: i) the right to access information held by government and other public bodies, including information about oneself, subject only to certain specified exceptions; and ii) the right to privacy for personal information collected, stored, used and disclosed by public bodies. The right of access is based on the principles of the accountability of government and other public institutions to citizens, as well as the desirability to have better informed members of the public. The exceptions to access derive from the recognition that certain types of decision making transactions must be conducted in confidence. The right to privacy for personal information is based on privacy protection measures which are also referred to as fair information practices.

The privacy provisions control the manner in which a public body may collect, use and disclose personal information of individuals. They also control the manner in which personal information is retained, disposed of, and kept accurate and secure.

It is important to remember that the legislation is not meant to replace other procedures for accessing information or to limit access to information that is not personal information and is available to the public.
The Act establishes a uniform set of administrative requirements which must be undertaken by all public bodies in Newfoundland and Labrador. The Minister, as head of the public body has responsibility for all decisions and actions of the public body under the legislation. The legislation gives the Minister the ability to officially delegate their responsibilities to the Deputy Minister. While not required, Ministers often formally delegate their responsibilities in a letter to their Deputy Minister.

Each department is required to designate an employee as an ATIPP Coordinator to be responsible for the day to day administration of the Act. The Minister’s approval is not sought with respect to information but he or she will be advised of the nature of the request without identifying the applicant when the response has been sent.

Once a request is received, the department must respond to requests for access to records without delay and in any event not more than 20 business days after receiving it, unless the time limit for responding is extended with prior approval from the Information and Privacy Commissioner. Timeliness in responding to a request for access to information is of the utmost importance and unreasonable delay is considered synonymous to an explicit denial of access.

4.11.2. Protection of Privacy

Government is responsible for extensive amounts of personal information. The Act seeks to protect this personal information by limiting how personal information can be collected, used and disclosed by public bodies. The privacy provisions also allow individuals the right to access and correct their own personal information. Public bodies have implemented processes to effectively manage the administration and protection of personal information.

4.11.3. Information and Privacy Commissioner

The Information and Privacy Commissioner monitors public body compliance with the Act. Only the Commissioner has the authority to approve a public body request for an extension of time and to disregard a request. The Commissioner also has the authority to conduct investigations, including to review complaints related to the handling of access to information requests; correction of personal information; fees charged for access to information requests; audit; and alleged personal information breaches. The Commissioner can make recommendations respecting reviews and complaints following which the public body can either accept the recommendations or seek a declaration from the courts that it is not required to comply. The Commissioner can also file an order with the courts to give binding effect to his or recommendation in certain circumstances.
4.11.4. Appeal to Trial Division

Within 15 business days after receiving a decision of a public body for access to a record or correction of personal information, the applicant or third party may appeal that decision to the Trial Division. Also, if an applicant has filed a complaint with the Commissioner under section 42 and the Commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division within 15 business days of receiving the decision of the Commissioner.

4.12. Training Opportunities

The Centre for Learning and Development (CLD), Human Resource Secretariat, offers training to the public service of Newfoundland and Labrador. Training sessions offered by the CLD can be tailored to meet the needs of Ministers.

4.12.1. Media Training

Media training is available to Ministers and Parliamentary Secretaries.

In collaboration with the Communications Branch and Directors of Communication, the training session focuses on experiential learning through simulated interviews. Ministers are provided specific feedback on their interactions in these interviews.

One-on-one training is provided to ensure a comfortable learning environment that allows for in-depth probing of issues specific to the Minister. Topics for Media Training include: (i) Understanding of Televised Environment; (ii) Camera Presence; (iii) Asking and Answering Questions; (iv) Demeanor; (v) Handling Difficult Questions; (vi) Structuring Answers; and (vii) Preparing for Question Period.

4.12.2. Additional Learning Options

Arrangements can also be made through Cabinet Secretariat to participate in additional training that may be of benefit to Ministers.

4.12.2.1. The Cabinet Decision-Making Process

This session is designed to enhance the understanding and efficiency of the decision making process in government. Emphasis is placed on the roles and responsibilities of government
departments, the Cabinet and the Cabinet Secretariat in making decisions and on the Cabinet submission process itself.

4.12.2.2. Hiring Procedures

The session would provide an overview of the overall responsibility for ensuring that appointments to, and promotions within, the public service are based on merit. Through formal agreements, departmental staff are held accountable for the conduct of approved selection processes and the application of merit principles.

4.12.2.3. Other

Training on the following topics may also be available upon request depending on the level of interest:

- Transparency and Accountability
- Financial Administration Act
- Budget Guidelines
- Public Tender Act
- Government Purchasing Agency
- Human Capital Management
5. Cabinet - Structure, Procedures and Practice

5.1. Cabinet

Cabinet is the central decision-making body of the government, selected by the Premier, to provide strategic policy and political advice. Policy and administrative support is provided by Cabinet Secretariat. In recent years, the Cabinet in Newfoundland and Labrador has considered in the range of approximately 350-500 Submissions annually. Further, approximately 600 Minutes of Council and 350 Orders in Council are issued annually.

The Executive Council Act allows the Lieutenant Governor, acting on the advice of the Premier, to establish Cabinet Committees to support the Cabinet decision making process.

In Newfoundland and Labrador, Committees of Cabinet have traditionally been used to review Cabinet submissions and make recommendations on decisions prior to a discussion of Cabinet. However, in some other Canadian governments, Premiers have also assigned Cabinet Committees responsibility for setting and implementing the government’s agenda, including identifying priorities and reviewing progress in fulfilling electoral commitments. Additional information on Cabinet Committees is provided later in this handbook.

All significant decisions or actions taken by the executive branch of government are first discussed and collectively agreed upon by Cabinet.

Solidarity is a collective responsibility of all members of Cabinet. No disagreement should be voiced outside the Cabinet room.

5.1.1. Logistics

Cabinet is the key forum in which Ministers arrive at decisions on the goals, policies, and programs of government. Decisions of Cabinet are formally expressed in the form of Minutes of Council (MCs) and Orders-in-Council (OCs). Apart from Acts of the Legislature, Orders in Council are the primary method by which government implements decisions that require legal force.
The Premier is responsible for the management of the Cabinet decision-making process, and may use committees to enhance the efficiency of the Cabinet. Committees examine issues in detail and make recommendations for decision by the whole Cabinet. The Premier is also responsible for the organization and operation of Cabinet and its committees.

5.1.2. Attendance at Cabinet and Cabinet Committee Meetings

Attendance at Cabinet and Committee meetings is mandatory. As Cabinet is the principal decision making body of the province, it is important that ministers place priority on attending Cabinet and Committee meetings to lead discussions on their submissions and make collective decisions. Current practice requires that absence from a Cabinet meeting be authorized by the Premier's Chief of Staff and participation via conference call or telephone is strictly prohibited except in exceptional circumstances, with the approval of the Premier. Meetings via conference call or telephone include single agenda items and must occur from a land line. The Premier has discretion to change these requirements. Given changes in technology since 2004, Cabinet Secretariat is currently reviewing this policy and will provide recommendations to the Premier for consideration in the near future.

The Clerk of the Executive Council and the Deputy Clerk of the Executive Council attend Cabinet meetings to document decisions of Cabinet; to issue necessary Minutes of Council and Orders in Council; and, on occasion, to provide further information or clarity on an issue as requested. Departmental officials may attend Cabinet meetings on occasion to make presentations and to be available to answer any questions ministers may have; however, departmental officials leave the room before ministers enter substantive discussions. In recent years, the Premier's Chief of Staff and Director of Communications also attended meetings of Cabinet.

5.1.3. Quorum

A quorum for Cabinet meetings is more than half the full membership of Cabinet. The chair of a Cabinet meeting may vary the quorum requirements, if necessary, taking into account the importance of the items under consideration, the presence of appropriate ministers, and the advisability of taking decisions if few ministers are present.

5.1.4. Seating Plan

Seating for Cabinet meetings is ordinarily determined based on the Order of Precedence. The order is at the discretion of the Premier, but general convention is for the Premier and Deputy Premier (if
appointed) to be listed first and second, and for ministers to then be listed in the order they were elected to the House of Assembly (earliest elections coming first in that order). The image below shows the typical seating arrangement for a Cabinet of 12 Cabinet Ministers plus the Premier.

5.1.5. Cabinet Retreats

Periodically, Cabinet Secretariat will support Cabinet in holding a retreat, which may last a day or longer, to discuss a range of matters. Retreats allow Cabinet to dedicate a focused period of time on priority matters.

5.1.6. Cabinet Confidentiality

Maintaining Cabinet confidentiality and security is paramount. It is essential that Ministers protect against any lapses with respect to the nature of Cabinet deliberations. Deliberations of Cabinet are considered to be sacrosanct. The treatment of Cabinet-related materials and discussions with confidentiality and care respects the Cabinet decision-making process and ensures that each Minister can express his or her opinion openly before a final decision is taken. In addition, this confidentiality should be extended to Cabinet operations (i.e. details pertaining to where and
when Cabinet is scheduled to meet, when a particular matter is expected to be considered by Cabinet or one of the policy Committees of Cabinet, and the positions of any individual Minister on any proposal).

5.1.7. Cabinet Documents

Cabinet records are defined under the Management of Information Act and can simply be classified as anything that relates to the Cabinet decision-making process, including drafts and the signed copy of the Memorandum to the Executive Council, the Cabinet Secretariat and Treasury Board Support Division analyses, Committee and Cabinet meeting agendas, briefing notes and presentations to support Committee and Cabinet deliberations, as well as recommendations from policy Committees of Cabinet. Similarly, Minutes and Orders in Council from Cabinet would also be included in the definition of Cabinet documents. Draft legislation is also considered to be a Cabinet record.

The Access to Information and Protection of Privacy Act, 2015 enables the public to access government information; however, a public body shall refuse to disclose a Cabinet record unless:
- it has been in existence for 20 years or more;
- the Clerk of Executive Council decides that the public interest in releasing the information outweighs the confidence; or
- the Cabinet record is a discussion paper, policy analysis, a proposal, advice or briefing material prepared for Cabinet. In this case any factual information or background material must be released.

In addition, public bodies shall refuse to disclose the substance of Cabinet deliberations found in non-Cabinet records. The Information and Privacy Commissioner may review the refusal of such records (i.e. a Cabinet record or the substance of Cabinet deliberations in a non-Cabinet record) if an applicant files a complaint with the Commissioner's Office.

5.1.8. Physical Security

Cabinet documents are not intended for general circulation or access and should only be circulated within Departments on a need-to-know basis. Signed Cabinet documents circulated by the Cabinet Secretariat are not to be copied or reproduced in any way. It is essential that documents be physically secure at all times.

In implementing this protocol, it is acknowledged that various officials will require access to Cabinet Submissions in assessing and providing the Department’s position to inform the analyses of Cabinet
submissions. In these situations it is expected that access be controlled in accordance with the policies established by Cabinet Secretariat.

While it is recognized that Ministers will need to travel with Cabinet documents, utmost responsibility and diligence must be exercised when considering the security pertaining to documents under these circumstances. In particular, Cabinet materials should not be left unattended in personal vehicles.

Following Cabinet meetings, the signed Cabinet submissions, Cabinet Secretariat and Treasury Board Support Division analyses, Committee recommendations, and any supplementary briefing materials considered by Cabinet (e.g. presentations or briefing notes) should be filed securely in the Minister’s office.

Any of the above materials stored on the Minister’s electronic device are to be removed as soon as possible after the Cabinet and Committee meetings.

5.1.9. Electronic Security

Confidentiality restrictions also apply to electronic copies of Cabinet documents. Electronic copies of Cabinet documents are to be kept on secure directories, managed by Ministers’ offices.

There should be no faxing or emailing of Cabinet documents including: (i) Cabinet submissions; (ii) draft Cabinet submissions; (iii) Cabinet or Cabinet Committee agendas; (iv) Minutes or Orders in Council; (v) Minutes or Recommendations from Committee meetings; (vi) annexes to Cabinet submissions (including communications plans); and (vii) draft legislation.

Email is appropriate for transmittal of certain information provided that its use observes that such emails are a matter of public record; that it considers relevant legislation (e.g. Access to Information and Protection of Privacy Act, 2015); and is consistent with the Office of the Chief Information Officer email policy and guidelines.

Email related to Cabinet submissions should be clearly identified with only the submission number in the subject line of the email. Where the submission is still in draft form, the subject line should read “Draft Cabinet Submission”. This material should still however be treated as confidential and it includes supporting documentation for Cabinet submissions, briefing and meeting notes, presentation decks, and operational records containing information relevant to the business of Cabinet or its Committees.
5.1.10. **Scheduling**  
Cabinet has normally met weekly except during the summer period.

5.1.11. **Setting the Agenda**  
Agenda management is a key aspect of an effective decision making structure. Cabinet Secretariat works with departments to develop an annual Cabinet work plan that is reflective of government priorities and is updated on a quarterly basis. This plan provides the Premier with information on what he or she might expect throughout the year, and an opportunity to provide direction where necessary. Typically, the Clerk of the Executive Council develops the weekly Cabinet agenda, based on the priority of the issue and readiness.

Discipline in the Cabinet process supports good decision making. As previously mentioned, this includes ensuring departments adhere to the Cabinet process timelines. Through this coordination, Cabinet Secretariat helps support the timely delivery of government commitments and encourages prudent work planning in departments.

The agenda for a Cabinet meeting has typically included the following elements:

**Premier’s Update:** The Premier may provide an update on priority policy matters, or call upon specific ministers to speak to issues for which they are responsible. The Premier may also determine that there are issues which require formal presentations to Cabinet. These can be made by the minister responsible, sometimes with support from the Deputy Minister or other appropriate officials. Cabinet Secretariat will coordinate update items for the agenda. This is also where the Premier may, should he/she choose to, discuss decision notes ministers have submitted. The Clerk of the Executive Council will seek concurrence of the Premier on any update items to be added to the agenda.

**Cabinet Submissions:** The Premier calls on individual Ministers to speak to Cabinet submissions which have been vetted by one of the Cabinet Committees and are ready for Cabinet consideration. These submissions would normally have been dealt with by a Committee the week prior to being considered by Cabinet. The agenda is divided into Part A – items for discussion, and Part B – items are only discussed if a Minister raises an issue. Part B
supports agenda management, as experience has shown that these matters are routine, non-controversial and tend to generate limited discussion by Cabinet (e.g., federal-provincial information sharing agreements, some contract awards, housekeeping regulatory amendments).

5.2. Committees of Cabinet

In Newfoundland and Labrador, committees of Cabinet have traditionally been used to review Submissions and make recommendations on decisions prior to a discussion of Cabinet. However, in some other Canadian governments, Premiers have also assigned Cabinet committees responsibility for setting and implementing the government’s agenda, including identifying priorities and reviewing progress in fulfilling electoral commitments.

Since the early 1970s, the Cabinet Committee structure has remained relatively consistent with five standing committees, which are described in greater detail on the following pages.

**Five Traditional Cabinet Committees in Newfoundland and Labrador**

- Planning and Priorities Committee
- Treasury Board Committee
- Committee on Routine Matters and Appointments
- Social Policy Committee
- Economic Policy Committee

From time to time, ad hoc committees are established to review or consider particular matters.

All Committees are supported by Cabinet Secretariat (except Treasury Board which is supported by the Department of Finance and the Human Resource Secretariat) and agendas are distributed by this office.
5.2.1. Planning and Priorities Committee

The Planning and Priorities Committee, chaired by the Premier, is responsible for providing advice and direction on major resource, social, and fiscal matters. Generally, major projects and initiatives are guided by the Planning and Priorities Committee with periodic reports to Cabinet. The Committee may act as a sounding board during the initial stage of decision-making on major projects and initiatives, or it may be delegated decision-making authority by the Premier under the Prerogative of the Crown.

The Committee has the authority to make decisions, if necessary, which may be documented as Minutes of Council; direction may also be given to bring matters before Cabinet. Items are generally brought forward to this Committee via Memoranda from Ministers and presentations. All agenda items must be approved by the Premier.

5.2.2. Treasury Board Committee

The Treasury Board Committee is established under the Financial Administration Act. This Committee has the authority to make decisions without referring to full Cabinet for matters relating to routine financial transactions (budgetary and expenditure), human resources, or information technology. The Committee may also review other Cabinet Submissions and make recommendations to Cabinet on their disposition. Treasury Board Committee cannot make decisions on the appropriation of new funds. Any Cabinet Submission seeking new funds must first receive the written approval of the Premier or the Minister of Finance before it may be placed on the Cabinet agenda.

The Committee is supported by the Budgeting and Treasury Board Support divisions of the Department of Finance and the Human Resource Secretariat. The Secretary to Treasury Board, or Assistant Deputy Minister of Financial Planning and Benefits, and Deputy Secretary to Treasury Board, or designate, along with the Director of Treasury Board Support, attend meetings to document decisions and, on occasion, provide further information. Analyses, similar to those prepared by Cabinet Secretariat, are provided to support Treasury Board’s deliberations.
5.2.3. Committee on Routine Matters and Appointments

The Cabinet Committee on Routine Matters and Appointments has the authority to make decisions on matters which require Cabinet authority, but which are relatively straightforward in nature (e.g., land approvals, promulgating regulations, minor housekeeping amendments), as well as all government appointments to Boards, Agencies, and Commissions.

In most cases, Minutes of Council or Orders in Council are recorded from the Committee meeting, and there is no further deliberation by full Cabinet.

To ensure that all Cabinet members are aware of Committee decisions, and to provide opportunities for non-members to raise any concerns, Minutes of Council and Orders-in-Council are distributed to all Cabinet members for consideration, and are not officially effective until seven days subsequent to the decision. The Chair may waive this requirement for urgent matters. If decisions are questioned, the matter is referred to full Cabinet.

5.2.4. Social Policy Committee

The Social Policy Committee is responsible for reviewing Cabinet submissions on issues involving social policy departments (most recently Child, Youth and Family Services; Education and Early Childhood Development; Health and Community Services; Justice and Public Safety; Labrador and Aboriginal Affairs Office; Municipal and Intergovernmental Affairs; Seniors, Wellness and Social Development; and, Service Newfoundland and Labrador), and for providing recommendations to Cabinet on those submissions. This Committee does not have the authority to make decisions without reference to Cabinet. This Committee is chaired by a minister, who is selected by the Premier.

The Social Policy Committee normally meets weekly. The Assistant Secretary to Cabinet (Social Policy) attends all Social Policy Committee Meetings to document decisions and, on occasion, provide further information upon request. The Assistant Secretary is often joined by a Cabinet Officer, who will take minutes for the meeting, and a director-level representative from Communications Branch to assist in preparing any communications approaches required to support implementing a Cabinet decision.
5.2.5. Economic Policy Committee

The Economic Policy Committee is responsible for reviewing issues involving economic policy departments (most recently Advanced Education and Skills; Business, Tourism, Culture and Rural Development; Environment and Conservation; Finance; Fisheries and Aquaculture; Natural Resources; and, Transportation and Works), and for providing recommendations to Cabinet on submissions. This Committee does not have the authority to make decisions without reference to Cabinet. This Committee is chaired by a minister, who is selected by the Premier.

The Economic Policy Committee normally meets weekly. The Assistant Secretary to Cabinet (Economic Policy) attends all Economic Policy Committee meetings to document decisions and, on occasion, provide further information upon request. The Assistant Secretary is often joined by a Cabinet Officer, who will take minutes for the meeting, and a director-level representative from Communications Branch to assist in preparing any communications approaches required to support implementing a Cabinet decision.

5.2.6. Current Membership in Standing Committees of Cabinet

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<th>Planning and Priorities Committee</th>
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<tr>
<td>• Premier, Chair</td>
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<td>• Minister of Finance and President of Treasury Board</td>
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<td>• Minister of Natural Resources</td>
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<td>• Minister of Justice and Public Safety, Vice-Chair</td>
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<td>• Minister of Municipal Affairs and Minister of Service Newfoundland and Labrador</td>
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<td>• Minister of Education and Early Childhood Development</td>
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Economic Policy Committee

- Minister of Natural Resources, Chair
- Minister of Transportation and Works
- Minister of Finance and President of Treasury Board
- Minister of Environment and Conservation
- Minister of Fisheries and Aquaculture
- Minister of Business, Tourism, Culture and Rural Development
- Minister of Advanced Education and Skills

Social Policy Committee

- Minister of Health and Community Services, Chair
- Minister of Education and Early Childhood Development
- Minister of Justice and Public Safety
- Minister of Child, Youth and Family Services and Minister of Seniors, Wellness and Social Development
- Minister of Municipal Affairs and Minister of Service Newfoundland and Labrador

Cabinet Committee on Routine Matters and Appointments

- Minister of Municipal Affairs and Minister of Service Newfoundland and Labrador, Chair
- Minister of Education and Early Childhood Development
- Minister of Transportation and Works
- Minister of Fisheries and Aquaculture
- Minister of Environment and Conservation
- Minister of Child, Youth and Family Services and Minister of Seniors, Wellness and Social Development

5.3. The Role of Cabinet Secretariat

Cabinet Secretariat is the agency of the public service that provides non-partisan policy advice and support to the Premier's role of setting overall government policy, coordinating initiatives brought forward by ministers, and developing responses to government-level issues. The office is also the primary support for Cabinet and its Committees and provides for the effective and efficient operation of the Cabinet process. This role incorporates policy analysis, the preparation of briefing materials, the coordination and facilitation
of Committee and Cabinet meetings, coordination of the legislative agenda, and the maintenance of Cabinet records. General operational support is also provided to the Office of the Premier.

Cabinet Secretariat is led by the Clerk of the Executive Council and Secretary to Cabinet. Other Executive members of the Secretariat include: Deputy Clerk and Associate Secretary to Cabinet, Assistant Secretary to Cabinet (Social Policy), Assistant Secretary to Cabinet (Economic Policy), Assistant Deputy Clerk and Executive Director of Planning and Coordination. Cabinet Secretariat also employs six Cabinet Officers (individuals on secondment for professional development from elsewhere in the public service who provide policy support to Cabinet and its Committees) and officials with responsibility for information management and access to information and protection of privacy matters.

In effect, Cabinet Secretariat is the Premier’s department. The Clerk of the Executive Council is government’s senior non-partisan public servant who advises and supports the Premier in respect of the day-to-day and longer-term conduct of government business. The Clerk of the Executive Council can be expected to proactively raise issues with the Premier, provide policy advice and seek direction. The Clerk of the Executive Council must have a clear understanding of the priorities of the Premier for the running of the government and the functioning of government departments and agencies. The Premier can expect the Clerk of the Executive Council to be well-briefed on the agenda of the government and the status of all priority issues.

5.4. Issues referred to Cabinet

Under the constitutional convention of ministerial responsibility, ministers are accountable to the Premier and House of Assembly, on behalf of the people, for responsibilities assigned to them through legislation. Ministers have the authority and responsibility to administer approved legislation, policies and programs. Cabinet decisions are not required for a minister to implement roles and responsibilities set out in legislation or in previously agreed policy. Accordingly, ministers are encouraged to make decisions that fall within their legislative authority without referring the matter to Cabinet unless the matter is sensitive and/or controversial. Relevant deputy ministers and equivalents will be able to support each minister in providing briefings on the scope of decisions that can be made without requiring a Cabinet submission.

For matters that do not require a Cabinet decision, ministers still may wish to consult with the Premier and/or their colleagues on particular matters. In this case, the relevant public service executive members will be able to support this consultation process, upon request.
When an Item is Referred to Cabinet

Some decisions are legally required to be considered by Cabinet. Any statutory reference to a decision, regulation, or the order of the "Lieutenant-Governor in Council" requires a decision of Cabinet and subsequent approval of the Lieutenant Governor.

With the exception of those items, the Premier or convention determines what items must be reported to and decided by Cabinet and what items will be left to be decided by ministers acting within their assigned portfolios.

The request for a Cabinet decision is made through a Cabinet submission. A Cabinet submission is a policy document prepared by a government department or agency that makes a recommendation on a particular course of action for the government.

Decisions of Cabinet are required for matters, including but not limited to:
- Matters specified in legislation;
- Matters specified in previous Minutes of Council to be considered by Cabinet;
- Matters specified in policy to be considered by Cabinet;
- Introduction of a new program or policy initiative;
- Creation or amendment of legislation or regulations (noting some regulatory changes may fall under ministerial authority and are not currently considered by Cabinet);
- Some appointments to agencies, boards and commissions;
- Approval of financial transactions outside approved budgetary allocations; or,
- Broad policy matters for which a minister wishes to confirm the concurrence of her or his colleagues (e.g., a modification to an existing policy that may be high profile or controversial, or that may have an impact on another department or agency).

The Premier may choose to issue other directives to further specify matters that should report to Cabinet, or to modify any existing Cabinet directives or policies. If there is any question as to whether Cabinet approval is required, Cabinet Secretariat can support the relevant minister in making a determination.

Current policy dictates that any Cabinet submission seeking new funds outside of the budget process must first receive the written approval of the Premier or the Minister of Finance before it may be placed on the Cabinet agenda.
Premier’s Prerogative

By convention, the Premier alone may act as Cabinet and may make decisions that would otherwise require the consent of the Cabinet. When the Premier uses his/her prerogative, this results in a Minute of Council or an Order-in-Council being issued as a result of the decision. This discretion has been traditionally used to make executive appointments to the public service or to make decisions on matters that are of a more urgent nature.

5.5. Preparing a Cabinet Submission

Once it has been determined by the Minister that a Cabinet decision is required on a matter, this direction will be conveyed, ordinarily through the Deputy Minister to departmental officials to prepare a Cabinet submission. Cabinet submissions discuss the issue at hand, make a recommendation, outline alternative courses of action and set out a series of considerations (e.g., legal and financial) to support Cabinet in arriving at a decision. The Cabinet submission must also provide information on the approach taken to the issue in other jurisdictions and any consultations undertaken to inform the Cabinet submission and communications considerations. Once a Cabinet submission has been signed by the Minister, it is delivered to Cabinet Secretariat for Cabinet’s consideration.

Cabinet Secretariat works cooperatively with departments in the development of Cabinet submissions to ensure affected interests have been canvassed, alternate courses of action have been considered, and the proposed policies are consistent with government’s overall agenda. Cabinet Secretariat supports departments in the preparation of Cabinet submissions through advice on draft documents and through written guidance in the Cabinet Submission Drafter’s Guide.

Upon receipt by Cabinet Secretariat, the Deputy Clerk routes the Cabinet submission to the appropriate Cabinet Committee. Cabinet Secretariat prepares an analysis on all Cabinet submissions being considered by Cabinet Committees to support the Committee’s decision making. Cabinet Secretariat consults with relevant line departments and always engages Communications Branch, the Department of Justice and
Public Safety, Treasury Board Support Division of the Department of Finance, the Women's Policy Office, the Office of Public Engagement, the Labrador and Aboriginal Affairs Office and the Policy Innovation and Accountability Office in the course of preparing the analysis. This process is led by an Assistant Secretary to Cabinet and is conducted by Cabinet Officers.

This analysis ensures that all relevant considerations have been applied and impacts such as Labrador considerations, Aboriginal considerations, gender implications, red tape reduction, intergovernmental issues, environmental considerations, legal and legislative considerations, financial considerations, communications issues, and inter-departmental issues have been considered. It is important that these views are identified, assessed and appropriately reflected in the information and advice presented to Committees and Cabinet.

**Elements of Cabinet Secretariat's Review of Cabinet Submissions**

- Ensure all relevant information is complete and presented clearly and concisely
- Ensure necessary interdepartmental considerations have taken place
- Consult other departments and agencies, as appropriate

Ministers should be provided with sufficient time to review the submissions of their colleagues. Committees should have the opportunity to consider submissions and all ministers should be advised of Committee recommendations before matters are brought forward for the consideration of Cabinet. Departments are advised that in order to have a submission considered at a particular Cabinet meeting, the finalized, signed Cabinet submission must be received by Cabinet Secretariat no later than three weeks prior to that meeting. This will provide:

- One week for Cabinet Secretariat/Treasury Board Support Division to consult and solicit feedback with relevant departments/agencies and prepare a full and thorough analysis of the submission;
- Circulation of the analysis to the relevant Cabinet Committee ministers, two working days before the Committee meeting;
- Consideration of the submission by Committee; and,
- Finalization and distribution of the Cabinet agenda approximately four working days before the Cabinet meeting. The agenda and related documents are distributed electronically to ministers, four working days before the meeting, by officials within Cabinet Secretariat.
### The Cabinet Process - Timelines

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<td>Submission Received</td>
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<td>Treasury Board Committee Agenda Distributed</td>
<td>Policy Committee Agenda Distributed</td>
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#### Week One
- **Cabinet Secretariat Analysis**
  - Consultation with Stakeholder Depts.
  - Follow up with originating Depts.

#### Week Two
- Treasury Board Committee Meeting
- Policy Committee Meeting
- Committee recommendations distributed to all Ministers
- Cabinet agenda distributed

#### Week Three
- Cabinet Meeting Routine & Regular
- Drafting MC’s and OC’s

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**5.6. Issues Management**

Cabinet Secretariat coordinates the preparation and distribution of information, meeting and decision notes which may be requested by the Premier’s Office, Cabinet Secretariat or prepared on the initiative of a department.

Information notes are generally requested and prepared on emerging issues and are strictly for information purposes only. Departments should not expect that submission of an information note will result in approval/rejection of any course of action. The Clerk of the Executive Council will highlight those information notes that are of a more sensitive nature with the Premier and/or Chief of Staff.

Meeting notes are prepared in advance of meetings the Premier may have with external stakeholders. The Personal Assistant to the Premier typically liaises with Cabinet Secretariat to request the preparation of notes for upcoming meetings.
**Decision notes** from ministers comprise a substantial part of the agenda for each meeting between the Clerk of the Executive Council and the Premier, and can address anything from simple to complex issues, but are not intended to replace or circumvent the Cabinet process. The Premier should expect that the Clerk of the Executive Council will raise all decision notes for discussion and to seek direction.

All information, meeting and decision notes provided to the Premier's Office must be approved by the responsible minister prior to submission to Cabinet Secretariat. Departments are encouraged to consult all other relevant public bodies on the note, as appropriate, before submitting the note to the minister for consideration.

Once a briefing note is received, Cabinet Secretariat reviews the note and formats it for consistency with government-wide standards, if required, and consults relevant departments. This consultation routinely includes the Department of Finance, the Department of Justice and Public Safety and the Communications Branch. Other departments and agencies will be consulted at the discretion of Cabinet Secretariat. Generally, Cabinet Secretariat will process notes for transmittal to the Premier's Office within 24-48 hours from the time the note is received, provided there are no time constraints on the note. Any comments Cabinet Secretariat or another department has on the note are reflected in a section added to the note entitled “Cabinet Secretariat Comment.”

Paper copies of completed notes are provided to the Premier’s Office throughout the day. Each evening, all completed notes are sent electronically to the Premier and other senior officials in the Premier’s Office, as well as the Clerk of the Executive Council, Deputy Clerk and Assistant Secretaries to Cabinet. Traditionally, the Premier, Chief of Staff, Deputy Chief of Staff, and Director of Communications and their respective administrative assistants receive briefing notes. Annex B of this handbook provides templates for information, meeting and decision notes.

**Urgent Decisions**

In the event that an urgent decision is required, a decision note (outlined on the previous page) can be prepared to seek approval directly from the Premier or Cabinet for a matter that would ordinarily be advanced through a Cabinet submission. Cabinet Secretariat approval is required before such notes are submitted for consideration.

Once received, the decision note will be routed to the Premier for consideration. During a regular meeting with the Premier, the Clerk of the Executive Council will discuss the matter with the Premier, including providing advice on the Minister's proposed course of action and whether to refer to Cabinet for a broader discussion.
In the case where the Premier directs that the matter be referred to Cabinet, the decision note would be placed on the Cabinet agenda for discussion as part of the Premier’s Update. Ministers would receive a copy of the note and associated Cabinet Secretariat comments (the analysis) prior to the meeting, and a decision would be taken collectively by Cabinet on the matter.
6. Legislation

The following legislation, among others, affects the day-to-day operation of Departments. Copies of the legislation are available from the Queen’s Printer, or may be accessed online at:

http://www.assembly.nl.ca/legislation/sr/consolidation/

- Executive Council Act
- House of Assembly Act
- Financial Administration Act
- Public Tender Act
- Access to Information and Protection of Privacy Act, 2015
- Public Service Commission Act
- Transparency and Accountability Act
- House of Assembly Accountability, Integrity and Administration Act
- Occupational Health and Safety Act

6.1. Executive Council Act

The Executive Council Act defines the structure of the executive arm of government, the Executive Council; it establishes the powers of the Premier, Cabinet, Attorney General, Registrar General; and it provides for the creation and operation of departments and Cabinet Committees. This Act is applicable to all Departments. A copy of the legislation can be found at the following web link:

http://www.assembly.nl.ca/legislation/sr/statutes/e16-1.htm

6.2. House of Assembly Act

The House of Assembly Act defines and establishes the legislature in the province and defines its rules of proceeding. Additionally, the Act establishes rules governing conflict of interest for Members of the House of Assembly and Ministers. A copy of the legislation can be found at the following web link:

http://www.assembly.nl.ca/legislation/sr/statutes/h10.htm

6.3. Financial Administration Act

The Financial Administration Act establishes and defines the structure for government financial administration. The Act is applicable to all government departments. The Act defines the roles, regarding financial administration, of the Treasury Board Committee of Cabinet, the President of Treasury Board and Minister of Finance, Ministers, Deputy Ministers, the Comptroller General; additionally, the Act governs public
money, expenditures, appropriation control, and public accounts. A copy of the legislation can be found at the following web link: http://www.assembly.nl.ca/legislation/sr/statutes/f08.htm

6.4. **Public Tender Act**

The Public Tender Act provides guidelines for government procurement. The Act is applicable to all departments and government funded bodies, as defined in the Act. The Act stipulates that public tenders are required for acquisitions of goods and services with an estimated cost in excess of $10,000, and for all public work with an estimated cost in excess of $20,000, except where Cabinet authorizes calls for proposals in accordance with the Act and Regulations. A copy of the legislation can be found at the following web link: http://www.assembly.nl.ca/legislation/sr/statutes/p45.htm

6.5. **Public Service Commission Act**

The Public Service Commission Act charges the Public Service Commission with the responsibility to protect the merit principle in the appointment and promotion to permanent positions within the public service. This is accomplished through a series of agreements by which the authority to conduct selection processes is delegated to departments and agencies scheduled to the Act. The agreements require departments and agencies to adhere to the standards and procedures established by the Commission. Public service organizations under the ambit of the Public Service Commission Act are set out in Schedule A of the Act. Organizations in the public service may be added or removed from this schedule by Order in Council. A copy of the legislation can be found at the following web link:

http://www.assembly.nl.ca/legislation/sr/statutes/p43.htm

6.6. **Access to Information and Protection of Privacy Act, 2015**

The Act establishes a uniform set of administrative requirements which must be undertaken by all public bodies in Newfoundland and Labrador. The Minister, as head of the public body has responsibility for all decisions and actions of the public body under the legislation but gives the head of a public body the ability to officially delegate their responsibilities to the Deputy Minister within the public body. While not required, Ministers often formally delegate their responsibilities in a letter to their Deputy Minister. A copy of the legislation can be found at the following web link:

http://www.assembly.nl.ca/Legislation/sr/statutes/a01-2.htm

6.7. **Transparency and Accountability Act**

The Transparency and Accountability Act received Royal Assent by the House of Assembly on December 16, 2004. It is designed to enhance the transparency and accountability of government entities to the people of
the province in six main areas: performance-based planning, reporting, setting up corporations, borrowing, multi-year forecasts for government and the economy, and performance contracts. There are approximately 155 government entities captured under the Act. Primary responsibilities fall to the Lieutenant Governor in Council, individual Ministers and/or the governing board of public bodies. A copy of the legislation can be found at the following weblink: http://www.assembly.nl.ca/legislation/sr/statutes/t08-1.htm.

6.8. **House of Assembly Accountability, Integrity and Administration Act**

The *House of Assembly Accountability, Integrity, and Administration Act* establishes an administrative framework for the House of Assembly that is transparent and accountable. The Act places responsibility with individual members to conduct their public and private affairs so as to promote public confidence in the integrity of each member, while maintaining the dignity and independence of the House of Assembly. The equitable treatment of each member of the House of Assembly is promoted and creates an environment for members in which full-time devotion to one's duties is encouraged. It establishes clear rules with respect to salary, allowances and resources for members and to provide for mandatory review of them at regular intervals. A copy of the legislation can be found at the following web link: http://www.assembly.nl.ca/legislation/sr/statutes/h10-1.htm.

6.9. **Occupational Health and Safety Act**

The *Occupational Health and Safety Act* imposes certain minimum conditions on all workplaces that ensures that workers are provided with an environment that neither impairs their health or imperils their safety. It addresses an employer's duties to ensure the health, safety and welfare of workers, as well as a worker's duties to take reasonable care to protect his or her own health and that of workers and other persons at or near the workplace.
7. Minister’s Compensation and Benefits

Members of the House of Assembly should consult the Member’s Handbook, which the House of Assembly provides to each Member of the House of Assembly, for specific compensation information, as outlined in the House of Assembly Accountability, Integrity and Administration Act.

7.1. Salary

Ministers are paid every two weeks and all Ministers are required to receive this through government’s direct deposit system. The salary is payable in 26 equal installments annually. All salary elements outlined below are taxable under Canada Revenue Agency guidelines.

7.1.1. Canada Pension Plan Benefit Recipients

A Minister who is currently in receipt of Canada Pension Plan (CPP) benefits must obtain a Notice of Entitlement from Human Resources and Skills Development Canada and forward to the Corporate and Members’ Services Division (House of Assembly). Otherwise, CPP deductions will be made from the Minister’s salary at the prescribed rate.

7.1.2. Base Salary

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Member of the House of Assembly Salary</td>
<td>$95,357</td>
</tr>
<tr>
<td>Minister’s Salary</td>
<td>$54,072</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$149,429</strong></td>
</tr>
</tbody>
</table>

7.1.3. Additional Salary Elements

A Minister who also holds a position within the House of Assembly is entitled to receive an additional salary pursuant to the Members’ Resources and Allowances Rules.

7.2. Severance

Members of the House of Assembly are provided with severance pay when they leave office. Under the current severance pay policy, a Member who resigns, retires or is defeated is entitled to receive the equivalent of one month severance for each year of MHA service and prorated for part of the years’ service. The minimum severance is three (3) months and the maximum is twelve (12) months. Effective July 1,
2007, following the Review Commission on Constituency Allowances and Related Matters (the “Green Commission”), salary is defined as 81.2 % of the Member’s gross salary for the purpose of calculating severance pay.

The House of Assembly Accountability, Integrity and Administration Act directs that a severance allowance is to be determined by the House of Assembly Management Commission, following the receipt of advice from a Members’ Compensation Review Committee.

Ministers leaving their portfolio shall continue to receive Minister’s pensionable salary up to the end of the month in which they depart plus one additional month’s non-pensionable salary.

A Minister is entitled to car allowance of $8,000 per fiscal year. A departing Minister, who is in receipt of the car allowance, is entitled to receive this allowance for a period of three (3) months following the date of departure.

7.3. Retiring Allowances

The Pension Plan currently in effect for Members is established under the Members of the House of Assembly Retiring Allowances Act. The Act was amended in 2009 in response to recommendations of the Members’ Compensation Review Committee. The Plan is a defined benefit pension plan whereby the pension is calculated based on a percentage of a Member’s years of pensionable service and pensionable earnings.

The MHA Pension Plan is administered by the Pension and Group Insurance Administration Division, Human Resource Secretariat. The following is a summary of the provisions of the plan. However, for further details of these benefits and information respecting your specific entitlements, please contact:

Mr. David Lidstone
Manager of Pension Benefits
Human Resource Secretariat
(709) 729-6084

or

Ms. Renee Tinkov
Senior Human Resource Consultant
Strategic Human Resource Management Division
Human Resource Secretariat
(709) 729-5201
7.3.1. Participation

All Members must participate in the Pension Plan unless they are contributing to another private or employer related Pension Plan. In order to continue participation in another Plan, and effectively opt out of the MHA Plan, an Election Form must be signed before the first payment of any salary. This option may only be made for the first General Assembly to which a Member is elected. A Member is required to participate in the MHA Pension Plan upon subsequent re-election.

7.3.2. Contributions

Members contribute to the Plan at the rate of 9% of their pensionable salary and the salary for Parliamentary Office Holder positions. Ministers, in addition, also contribute 9% of their Ministerial salary. Included in the definition of a Minister are the Speaker and the Leader of the Opposition. Canada Pension Plan contributions are paid in addition to Pension Plan contributions.

7.3.3. Pensionable Salary Defined

For Members elected for the first time after December 31, 2009, pensionable salary is defined as the salary authorized under the House of Assembly Accountability, Integrity and Administration Act.

For Members elected for the first time prior to January 1, 2010, pensionable salary is defined as the authorized salary up to June 30, 2007 and 81.2% of the Member's salary with respect to service after June 30, 2007.

The pensionable salary used in calculating pension is based on the average of the best three calendar years remuneration.

In the case of a Member, pensionable salary is based on the amount of the Member salary, plus salary paid as Parliamentary Office holders, in a calendar year.

In the case of a Minister, pensionable salary is based on the salary authorized by the Legislature to be paid to a Minister.

In the case of other service, pensionable salary is the total of the average pensionable salaries as a Member and as a Minister. The average pensionable salary as a Minister is not included if elected for the first time after the 45th General Assembly.
7.3.4. Pension Benefits

The Plan provides for three types of pension benefits: retirement, disability, and survivor benefits.

Retirement Pension

A Member is “vested” and entitled to a pension after serving in two General Assemblies for not less than five years, if he or she has made the contributions required by the Act.

A vested Member elected after December 31, 2009 is eligible to receive that pension upon termination at age 55 years and may be entitled to a reduced pension at age 50.

A vested Member who was elected prior to January 1, 2010 is eligible to receive that pension upon termination when age plus years of service as a Member total 60. For the Premier, age plus service as a Member must total 55.

Disability Pension

A Member is entitled to immediately receive a Disability Pension upon the disability being duly certified by the medical consultant for the Human Resource Secretariat. There are no age or service requirements. The pension is calculated in the same way as the retirement pension.

Survivor Pension

A survivor pension is payable to a spouse upon a Member’s death if the Member has served in two General Assemblies for not less than five years or is in receipt of a pension under the Pension Plan. In addition, supplementary benefits are paid according to the number of eligible dependants as defined in the Pensions Act. Children’s benefits increase in the event there is no surviving spouse.

The basic survivor pension for the spouse is the greater of 60% of the Member’s pension or 25% of the sum of the Member’s and Minister’s salary. The maximum survivor benefits payable to a spouse and children cannot exceed the Member’s retirement pension.

7.3.5. Calculation of Pension

The calculation of pension requires three separate calculations, based on the following service:

- service as a Member,
- service as a Minister; and
- other credited pensionable service. Other service refers to service worked with an affiliated organization that a Member had elected to transfer to the MHA Plan.
For those Members who first served as a Member or Minister after December 31, 2009, the Member’s pension is calculated at a rate of 3.5% of base MHA salary for each year of service as a Member and 3.5% of base Minister’s salary each year of service as a Minister. Pension is calculated at a rate of 2% for each year of other credited pensionable service under the plan.

For Members elected prior to January 1, 2010, but after January 18, 1999 the Member’s pension is calculated at a rate of 5% of base MHA salary for each of the first 10 years of service as a Member and 5% of base Minister’s salary for each of the first 10 years of service as a Minister. For each of the next 10 years of Member or Ministerial service, the pension is calculated at a rate of 2.5%. Pension is calculated at a rate of 2% for each year of other credited pensionable service under the plan.

For Members elected prior to January 19, 1999, the Member’s pension is calculated at a rate of 5% of base MHA salary for each of the first 10 years of service as a Member and 5% of base Minister’s salary for each of the first 10 years of service as a Minister. For each of the next 5 years, the pension is calculated at a rate of 4% of base MHA salary as a Member and 4% of base Minister’s salary. For each of the next 2 years, the pension is calculated at a rate of 2.5% of base MHA salary and 2.5% of base Minister’s salary. Pension is calculated at a rate of 2% for each year of other credited pensionable service under the plan.

7.3.6. Refund of Contributions

A former Member who is not entitled to a pension may receive a refund of his or her contributions together with interest calculated in accordance with the rates prescribed by the Pension Benefits Act, if he or she so elects.

7.3.7. Plan Member Benefit Statements

Plan member benefit statements are provided to Members of the House of Assembly annually in April.

7.3.8. Integration with Canada Pension Plan (CPP)

A Pension paid under the MHA Pension Plan will be reduced from the first of the month following the month in which a Member reaches age 65. The formula for calculating this reduction considers pensionable salary for CPP purposes and years of service criteria.
7.4. Insurance

7.4.1. General

The insurance program which covers the employees of government and many quasi-government organizations is open to the Members of the House of Assembly on an optional basis.

Coverage must be applied for within thirty-one days of taking office, otherwise application is subject to approval by the insurance carrier.

Members wishing to participate in the Group Life and Health Insurance Program must enroll by completing an enrolment form within thirty-one (31) days of taking office.

7.4.2. Group Life Insurance

Active and Retired: Benefit of two (2) times salary/pension. Rounded to the next higher $1,000, if not already a multiple thereof, but in no event less than $10,000 or more than $1,000,000.

Retired members over age 65 are no longer eligible for basic term group life.

7.4.3. Dependent Life Insurance

Your spouse and unmarried dependent children under 21 years of age, or under 25 years of age if attending an accredited school, college or university on a full-time basis, are eligible for the following life insurance benefits; coverage applies only in conjunction with dependent health coverage.

<table>
<thead>
<tr>
<th>Spouse</th>
<th>$10,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Each Dependent Child</td>
<td>$5,000</td>
</tr>
</tbody>
</table>

7.4.4. Accidental Death and Dismemberment Insurance

Active and Retired: Benefit of two (2) times salary/pension. Rounded to the next higher $1,000, if already a multiple thereof, but in no event less than $10,000 or more than $1,000,000.

Retired members over age 65 are no longer eligible for accidental death and dismemberment insurance.
7.4.5. Supplementary Health Insurance

Your spouse and unmarried dependent children under 21 years of age or 25 years of age if attending an accredited school, college or university on a full-time basis, are eligible for the following supplementary health insurance benefits: semi-private hospital room, extended health, prescription drug, emergency ambulance, out-of-province, non-emergency transportation and vision care.

7.4.6. Voluntary Benefits

- Voluntary Group Term Life Insurance (Maximum $300,000)
- Voluntary Accidental Death and Dismemberment Insurance (Maximum $300,000)
- Voluntary Long Term Disability Insurance Voluntary
- Dental Insurance
- Critical Conditions (Life Link) Insurance

Some of the voluntary benefits are subject to medical underwriting.

7.4.7. Benefits for Retired Members

If you are a retiree and in receipt of benefits from either the Public Service Pension Plan, Teachers Pension Plan, Uniformed Services Pension Plan or a Member of the House of Assembly Pension Plan, you can continue your group insurance benefits by signing a Group Insurance Continuation Form, prior to your retirement.

7.4.8. Continuation of Benefits

Please note that for an insured employee/Member who retires or is granted an approved leave of absence, (such as maternity leave, education leave, continued absence following exhaustion of sick leave credits), group insurance coverage will not continue unless a “continuation of coverage” form is completed, signed and given to the Group Insurance Administrator, prior to your leaving, in order that they may arrange for premium payment during your absence.

7.4.9. Conversion Privileges

If you terminate employment prior to age 65, you may convert to an individual health/life program currently offered by the insurer, provided that application is made within 31 days following your date of termination. After 31 days following your date of termination, medical evidence of insurability will be required.
7.4.10. **General Information**

For further information on group insurance benefits please refer to the Employee Benefits Program Booklet, available throughout all government departments or online at: [http://www.exec.gov.nl.ca/exec/hrs/working_with_us/employee_benefits.html](http://www.exec.gov.nl.ca/exec/hrs/working_with_us/employee_benefits.html) Ministers may also contact the Clerk of the House of Assembly or the Senior Human Resource Consultant, Strategic Human Resource Division (Executive Council), Human Resource Secretariat.
8. Ministerial Expense Reimbursement Policies

Definitions

Permanent residence: The place that a Minister declares in an affidavit to the Speaker of the House of Assembly is (i) the place where a Minister in fact resides on a settled basis with his or her family, or (ii) where there is no single place where the Minister resides on a settled basis, the place that the Minister otherwise regards as his or her permanent residence, and does not include a seasonal or recreational dwelling or cabin.

Private accommodation: Accommodation arrangements made by a Minister in lieu of staying in temporary accommodation.

Temporary accommodation: Short-term, temporary or transient accommodation such as a hotel, motel, bed and breakfast or boarding house.

Travel status: The absence of a Minister from his or her headquarters on Ministerial/Departmental business.

Overnight travel status: The overnight absence of a Minister from his or her headquarters on Ministerial/Departmental business.

Capital region: The area encompassing the following electoral districts as described and delineated in the House of Assembly Act as follows:

(i) Cape St. Francis,
(ii) Conception Bay East - Bell Island,
(iii) Conception Bay South,
(iv) Ferryland (north of Witless Bay Line),
(v) Mount Pearl - Southlands,
(vi) Mount Pearl North,
(vii) Mount Scio,
(viii) St. John's Centre,
(ix) St. John's East - Quidi Vidi,
(x) St. John’s West,
(x) Topsail - Paradise,
(xii) Virginia Waters - Pleasantville,
(xiii) Waterford Valley, and
(xiv) Windsor Lake

Headquarters: The actual building or other place that the Minister uses as a base of operations as deemed by government.

Headquarters Area: An area within a radius of 60 kilometres of the Minister’s headquarters.

Commuting Distance: Sixty (60) kilometres or less.

Automobile Allowance: An $8,000 per year allowance paid to Cabinet Ministers.

Consumable Liquids: Includes gas, oil, windshield washer fluid, brake fluid, and related expenses.

Related Expenses: Expenses directly related to consumable liquids, such as labour costs for completing an oil change. These expenses do NOT include expenses for other forms of maintenance, tire installation, or additional expenses.

Corporate Charge Card: A charge card issued to Ministers to provide a means to pay for most expenses incurred while traveling on Ministerial/Departmental business.

Subrogation Agreement: An agreement between cardholder and the employer, allowing the employer to recover monies for seriously delinquent accounts from cardholders travel claims and/or pay cheques.

Entertainment: The provision of food, drink, and/or other forms of hospitality (i.e.: musical entertainment, tours, etc.) to persons with whom government business is being conducted.

Incidental Expenses: Those expenses (such as laundry, valet or various sundry items, etc.) incurred by Ministers on overnight travel status.
8.1. Accommodation

8.1.1. Policy Statement

Ministers on travel status, where overnight accommodation is required, may stay in a temporary accommodation, or where the Minister chooses, in private accommodation. In some unique circumstances, the type, standard and cost of temporary accommodation may be reflective of the nature of the Ministerial duties while on travel status, for example where the accommodation is the only facility available in proximity of a meeting location.

Ministers are responsible for ensuring accommodation reimbursement is claimed from only one source as follows:

<table>
<thead>
<tr>
<th>Source: Ministerial / Departmental Vote</th>
<th>Source: MHA / Constituency Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>When overnight travel is related to</td>
<td>When overnight travel is related to</td>
</tr>
<tr>
<td>Ministerial/Departmental business</td>
<td>constituency business pursuant to</td>
</tr>
<tr>
<td>pursuant to the Ministerial Expense</td>
<td>the Members’ Resources</td>
</tr>
<tr>
<td>Reimbursement Policy outlined below.</td>
<td>and Allowances Rules.</td>
</tr>
</tbody>
</table>

8.1.2. Responsibilities

Minister

It is the responsibility of Ministers to:

- provide to the Department a copy of the affidavit presented to the Speaker of the House of Assembly in which the Minister declares the location of their permanent residence;
- claim overnight travel related to Ministerial/Departmental business pursuant to the Ministerial Expense Reimbursement Policy;
- provide justification of temporary accommodation rates in excess of the rate for a standard room. For example, through the provision of an explanation as to why the particular temporary accommodation was required for overnight purposes rather than a less expensive alternative – such as corresponding with a specific meeting location/venue;
- ensure that advantage is taken of any special discounts or rates afforded to government employees; and
• claim overnight travel related to constituency business pursuant to the Members’ Resources and Allowances Rules.

**Department**

It is the responsibility of individual departments to:

• forward a copy of the affidavit in which the Minister declares the location of their permanent residence to the Comptroller General’s Office; and

• approve the justification of temporary accommodation rates in excess of the rate for a standard room.

### 8.1.3. Accommodation Reimbursement Policy (While on Ministerial/Departmental Travel Status)

#### 8.1.3.1. **Travel within Newfoundland and Labrador**

Where a Minister is on overnight travel status, and is conducting Ministerial/Departmental business, the Minister may claim reimbursement from the Departmental vote, as follows:

• A Minister who maintains a permanent residence within commuting distance of the travel destination is not entitled to claim for accommodation.

• For the actual cost of temporary accommodation, with detailed original receipts indicating proof of payment, per night actually occupied by the Minister. Economy is expected when booking temporary accommodation; or

• Ministers may make arrangements for private accommodation and will be reimbursed, without receipt, per night actually occupied by the Minister pursuant to the rates established by Cabinet. On the Island of Newfoundland the rate is $53 CAD per night and in Labrador $71 CAD per night.

• When conducting Ministerial/Departmental business at a headquarters located outside the capital region that coincides with his or her permanent residence the Minister is *not* entitled to claim accommodation reimbursement.

#### 8.1.3.2. **Travel outside of Newfoundland and Labrador**

Where a Minister is on overnight travel status outside of Newfoundland and Labrador to conduct Ministerial/Departmental business, the Minister may claim reimbursement from the Departmental vote as follows:

• For the actual cost of temporary accommodation, with detailed original receipts indicating proof of payment; or
• Ministers may make arrangements for private accommodation and will be reimbursed, without receipt, per night actually occupied by the Minister according to the approved rates. Rates are outlined in the table below.

<table>
<thead>
<tr>
<th>Location</th>
<th>Reimbursement Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Within Canada</td>
<td>$71 CAD per night</td>
</tr>
<tr>
<td>United States</td>
<td>$71 USD per night</td>
</tr>
<tr>
<td>International</td>
<td>$84 CAD per night</td>
</tr>
</tbody>
</table>

### 8.2. Automobile Reimbursement

A Minister may choose only one of the following reimbursement methods:

A. Automobile Allowance; or  
B. Reimbursement Based on Mileage Claims

The chosen reimbursement mechanism will be effective for the duration of the fiscal year. Should a Minister wish to adopt the alternate reimbursement mechanism, such a decision should only be made prior to March 31 for implementation in the following fiscal year.

#### 8.2.1. Policy Statement – Option A

Ministers are entitled to an automobile allowance as outlined in this policy.

#### 8.2.2. Responsibilities – Option A

**Minister**

It is the responsibility of Ministers to:

- claim expenses related to Ministerial/Departmental business pursuant to the Ministerial Expense Reimbursement Policy; and
- provide original detailed receipts indicating proof of payment for reimbursement under this policy.

Under Option A, Claims based on mileage are not eligible for reimbursement.
Department

It is the responsibility of individual departments to:

- ensure the Minister’s automobile allowance, fuel expenses, consumable liquids and related expenses are submitted to payroll for payment on payroll cheques rather than general account cheques.

8.2.3. General – Option A

The automobile allowance is $8,000 per year, prorated for the portion of the fiscal year for which the Minister serves in Cabinet.

Ministers will be reimbursed fuel expenses, consumable liquids and related expenses incurred while traveling on government business. Detailed original receipts indicating proof of payment must be provided.

Ministers receive the automobile allowance either as one lump sum or as a bi-weekly payment that coincides with the usual pay cycle.

The automobile allowance, fuel expenses, consumable liquids and related expenses will be issued on payroll cheques rather than General Account Cheques and is taxable in accordance with Canada Revenue Agency requirements.

Vehicle repairs, tires, etc. are not eligible for reimbursement.

Ministers with multiple departmental assignments, where the headquarters of one of more assigned departments is located outside the capital region, are entitled to receive one car allowance.

The Automobile Allowance option is not available to a Parliamentary Secretary or Parliamentary Assistant.

8.2.4. Discontinuance of the Automobile Allowance

Ministers who leave office for any reason shall retain their entitlement for a period of three months following the date of departure. The Minister shall repay the balance of money received during the fiscal year prorated for the period following the expiration of his or her entitlement.
8.2.5. Claiming Automobile Travel Expenses – Option A

The automobile allowance is provided for the purposes of ground travel. Ministers may not claim for automobile storage, traffic violations, repairs or towing. Airport parking fees are deemed a reimbursable expense with the provision of detailed original receipts indicating proof of payment.

8.2.6. Rental Vehicles – Option A

Reimbursement, with detailed original receipt indicating proof of payment, for a rental vehicle is provided where the rental is preceded by air travel outside the capital region.

Where the automobile allowance is the chosen mechanism of reimbursement, vehicle rentals within, or originating from, the capital region are eligible for reimbursement under occasional and reasonable circumstances only. Prior approval of the Premier’s Chief of Staff is required. Examples of situations which may be eligible for reimbursement include where it can be demonstrated that the use of a rental vehicle is more practical and/or economical than scheduled non-business class airfare.

Long-term rentals (in excess of five days) are not eligible for reimbursement unless prior authorization from the Chief of Staff is received.

Rental vehicle expenses are not eligible for reimbursement from the Ministerial/Departmental vote when within commuting distance of the Minister’s permanent residence or within the Minister’s constituency.

Notwithstanding, where a Minister’s permanent residence is located outside of their constituency, vehicle rental within their constituency (located outside the capital region) for the purposes of Ministerial/Departmental business would be eligible for reimbursement where approved by the Chief of Staff (or delegate).

Global Positioning System (GPS) navigation features associated with a rental vehicle are a reimbursable expense.

Please note that the Members’ Resources and Allowances rules would apply for vehicle rental within a Minister’s constituency for constituency-related business.
8.2.7. Use of Taxis – Option A

Reimbursement for taxi expenses within the capital region and the Minister’s constituency is limited. For example: travel to or from an airport, to an official business meeting in an area where parking may be an issue and in extenuating circumstances.

Where the trip is billed directly to the department, Ministers may use a taxi chit. Detailed original receipts indicating proof of payment are required for reimbursement of all other taxi charges.

8.2.8. Policy Statement – Option B

Ministers are entitled to be reimbursed for travel via private vehicle related to Ministerial/Departmental business as outlined in this policy.

Ministers are responsible for ensuring mileage is claimed from only one source as follows:

<table>
<thead>
<tr>
<th>Source: Ministerial / Departmental Vote</th>
<th>Source: MHA / Constituency Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>When travel is related to Ministerial/Departmental business pursuant to the Ministerial Expense Reimbursement Policy outlined below.</td>
<td>When travel is related to constituency business pursuant to the Members’ Resources and Allowances Rules.</td>
</tr>
</tbody>
</table>

8.2.9. Responsibilities – Option B

Minister

It is the responsibility of Ministers to:

- maintain one vehicle travel log and complete separate detailed original Vehicle Usage Reports for constituency-related and Ministerial/Departmental related claims;
- claim expenses related to Ministerial/Departmental business pursuant to the Ministerial Expense Reimbursement Policy;
- claim expenses related to constituency business pursuant to the Members’ Resources and Allowances Rules.

Department

It is the responsibility of individual departments to:
• ensure that mileage expenses are claimed as per the provisions of this policy.

8.2.10. General – Option B

Where a Minister (regardless of where their constituency or permanent residence is located) travels by his or her own vehicle on Ministerial/Departmental business, he or she may claim reimbursement from the Departmental vote for the number of kilometres reasonably necessary to accomplish the travel objectives multiplied by the rates payable to government employees who are required to use private vehicles as a condition of employment (i.e. the two-tiered rate).

8.2.11. Travel Log

Where a Minister travels by his or her own vehicle, he or she shall at all times maintain a vehicle travel log in which he or she shall record the dates and destinations of a trip, including the number of kilometres actually and reasonably traveled in connection with the trip. In addition, personal mileage should also be tracked in the log.

Under this option, mileage from a Minister’s permanent residence to a point of departure (airport/ferry terminal/etc.) and return is considered an eligible expense when related to travel for Ministerial/Departmental related business when on travel status.

When claiming reimbursement for the use of private automobiles, Ministers must complete a detailed original Private Vehicle Usage report for each expense claim. The Private Vehicle Usage report must be attached to the Travel Expense Claim (constituency and Department expense claims).

Where a Minister chooses reimbursement based on mileage claimed, this policy applies to the combined Ministerial/Departmental and constituency-related travel for the first 9,000 kilometres traveled and will be reimbursable at the two-tiered rate. The two-tiered rate is not applicable separately for each of the first 9,000 kilometres traveled on Ministerial/Departmental-related business and constituency related business.
The distance traveled to reach individual travel destinations should approximate distances calculated by the Newfoundland and Labrador Road Distance Database (http://www.stats.gov.nl.ca/DataTools/RoadDB/).

8.2.12. Claiming Automobile Travel Expenses – Option B

Ministers may not claim for automobile storage, traffic violations, repairs or towing while on government business.

8.2.13. Rental Vehicles – Option B

Reimbursement for rental vehicles may be provided with the provision of detailed original receipts indicating proof of payment.

Long-term rentals (in excess of five days) are not eligible for reimbursement unless prior authorization from the Chief of Staff is received.

Rental vehicle expenses are not eligible for reimbursement from the Ministerial/Departmental vote when within commuting distance of the Minister’s permanent residence or within the Minister’s constituency.

Notwithstanding, where a Minister’s permanent residence is located outside of their constituency, vehicle rental within their constituency (located outside the capital region) for the purposes of Ministerial/Departmental business would be eligible for reimbursement where approved by the Chief of Staff.

Global Positioning System (GPS) navigation features associated with a rental vehicle are a reimbursable expense.

Please note that the Members’ Resources and Allowances rules would apply for vehicle rental within a Minister’s constituency for constituency-related business.

8.2.14. Use of Taxis – Option B

Reimbursement for taxi expenses within the capital region and the Minister’s constituency is limited. For example: travel to or from an airport, to an official business meeting where parking may be an issue, and in extenuating circumstances.
Where the trip is billed directly to the department, Ministers may use a taxi chit. Detailed original receipts indicating proof of payment are required for reimbursement of all other taxi charges.

8.3. Corporate Charge Card

8.3.1. Policy Statement

Government's corporate charge card is available to all Ministers who travel frequently on Ministerial/Departmental business. This card may be used for the purchase of airline tickets (or other modes of transportation), car rentals, temporary accommodation and food. The corporate charge card carries a number of additional benefits that are free of charge, such as Travel Accident Insurance and collision damage waivers on rental vehicles. This benefit is in addition to other personal or government-provided insurance that cardholders may have. (TBM 2000-073 refers).

8.3.2. Responsibilities

Minister

It is the responsibility of the Ministers to:

- use the card only for official business purposes;
- complete a Corporate Account Supplementary Card Application and sign a subrogation agreement with the employer;
- safeguard the corporate card by immediately signing new cards and destroying old cards; and
- ensure that the card is paid in full upon receipt of the monthly statement.

Department

It is the responsibility of the individual departments to:

- ensure that Ministers who travel frequently on Ministerial/Departmental business are aware that they may apply for and use the corporate charge card;
- notify the Charge Card Coordinator when a Minister terminates employment or transfers to another department; and
- take the appropriate action to ensure that any delinquent accounts are brought up to date.
8.3.3. Using the Corporate Charge Card

The corporate charge card is issued for a 36 to 48 month period. Renewal cards will not be issued where cards have been inactive for the previous year.

Cardholders should remit payment in full upon receipt of statement. Bank of Montreal (BMO) has agreed, however, that delinquent charges will not be assessed to the cardholder’s account provided full payment is received on or before the 59th day from the original statement date. Corporate charge cards may be canceled without notice when payment is 60 days overdue.

Ministers whose corporate charge cards are lost or stolen should notify BMO immediately at the following toll free number: 1-800-263-2263.

Ministers who travel on a frequent and regular basis should use the corporate charge card. Where Ministers use their personal credit cards for travel on Ministerial/Departmental business, they cannot claim any extra costs incurred. The corporate charge card is not a personal credit card and therefore use of the card for personal expenses is not permitted.

The corporate charge card automatically provides collision damage waivers on rental vehicles (subject to criterion - available upon request), free of charge. Where a Minister has access to a corporate charge card which reduces or eliminates government’s liability for collision damage to rental vehicles, such cards should be used.

8.4. Entertainment Expenses

8.4.1. Policy Statement

Ministers who incur expenses when entertaining persons with whom government conducts business (from the Ministerial/Departmental perspective) will be reimbursed entertainment expenses from the Departmental vote as outlined in this policy.

Detailed original receipts indicating proof of payment must be provided for all entertainment expenses.

Ministers are responsible for ensuring entertainment expenses are claimed from only one source as follows:
<table>
<thead>
<tr>
<th>Source: Ministerial / Departmental Vote</th>
<th>Source: MHA / Constituency Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>When entertainment is related to Ministerial/Departmental business pursuant to the Ministerial Expense Reimbursement Policy outlined below.</td>
<td>When entertainment is related to constituency business pursuant to the Members’ Resources and Allowances Rules.</td>
</tr>
</tbody>
</table>

### 8.4.2. Responsibilities

**Minister**

It is the responsibility of Ministers to:

- ensure entertainment expenses are in keeping with the mandate of the department;
- claim entertainment expenses related to Ministerial/Departmental business pursuant to the Ministerial Expense Reimbursement Policy;
- ensure that entertainment expenses to be incurred are in accordance with this policy;
- refer, where required, requests for entertainment expenses to the Department for referral to Treasury Board;
- ensure the purchase of alcoholic beverages is appropriate to the occasion, moderate and reasonable;
- claim expenses associated with working lunches/dinners attended solely by Government of Newfoundland and Labrador employees to the Departmental Supplies vote;
- submit detailed original receipts indicating proof of payment for all entertainment expenses; and
- claim entertainment expenses related to constituency business pursuant to the Members’ Resources and Allowances Rules.

**Department**

It is the responsibility of individual departments to:

- refer, where required, requests for entertainment expenses to Treasury Board;
- ensure expenses associated with working lunches/dinners attended solely by Government of Newfoundland and Labrador employees are claimed to the Departmental Supplies vote; and
- ensure entertainment expenses are in keeping with the mandate of the department.

### 8.5. Entertainment Expenses

Entertainment expenses are applicable to the provision of food, drink, and/or other forms of hospitality (i.e.: musical entertainment, tours, etc.) to persons with whom government business is being conducted.
Expenses associated with working lunches/dinners attended solely by Government of Newfoundland and Labrador employees must be claimed to Departmental Supplies.

The purchase of alcoholic beverages is limited to circumstances where it is appropriate to the occasion, and must be moderate and reasonable.

Meal per diems must not be claimed where an entertainment expense is being claimed for that particular meal. Where eligible pursuant to the Meal Rates policy, the Minister may claim a prorated meal per diem as appropriate for the other meals on that particular day.

8.5.1. Entertainment Expense Limits

Ministers may claim for entertainment expenses, within or outside the province, up to $500 daily (including taxes and gratuities) with the provision of detailed original receipts indicating proof of payment. Claims for entertainment expenses in excess of the $500 daily limit require the approval of Treasury Board.

8.5.2. Submission of Entertainment Expenses

Entertainment expenses incurred while on travel status can be submitted on the claim related to the travel. The claim must indicate the nature of the entertainment (i.e., luncheon, dinner, etc.) and the number of persons involved.

Entertainment expenses incurred and which do not coincide with travel status must be submitted on a separate travel claim form and must indicate the nature of the entertainment (i.e., luncheon, dinner, etc.) and the number of persons involved.

8.6. Meal Rates Policy

8.6.1. Policy Statement

Ministers will be reimbursed for meals purchased as per this policy.

Ministers are responsible for ensuring meals are claimed from only one source as follows:
<table>
<thead>
<tr>
<th>Source: Ministerial / Departmental Vote</th>
<th>Source: MHA / Constituency Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>When travel is related to Ministerial/Departmental business pursuant to the Ministerial Expense Reimbursement Policy outlined below.</td>
<td>When travel is related to constituency business pursuant to the Members’ Resources and Allowances Rules.</td>
</tr>
</tbody>
</table>

### 8.6.2. Responsibilities

**Minister**

It is the responsibility of Ministers to:
- submit claims for meals in a timely manner;
- claim meals related to Ministerial/Departmental business pursuant to the Ministerial Expense Reimbursement Policy; and
- claim meals related to constituency business pursuant to the Members’ Resources and Allowances Rules.

**Department**

It is the responsibility of individual departments to:
- monitor the cost of meals claimed to the Departmental vote.

### 8.6.3. Meal Reimbursement Policy - While on Ministerial/Departmental Travel Status

Ministers will claim a pro-rated meal allowance for part days that qualify under the meal rates policy.

Ministers may claim for breakfast when they begin travel status two (2) hours or more prior to the beginning of their regular work day.

Ministers may claim for dinner when they are unable to return to headquarters or place of residence until at least two (2) hours after the end of their regularly scheduled work day.

Ministers may not claim for meals, while on travel status, where the cost of meals is included as part of another reimbursable item or included as part of an official function.
Meal per diems must not be claimed where an entertainment expense is being claimed for that particular meal. Where eligible pursuant to the Meal Rates policy, the Minister may claim a prorated meal per diem as appropriate for the other meals on that particular day.

When conducting Ministerial/Departmental business at a headquarters, located outside the capital region that coincides with his or her permanent residence the Minister is not entitled to claim per diem meal reimbursement. However, Ministerial/Departmental business-related meal expenses may be claimed from the Departmental vote with the provision of detailed original receipts indicating proof of payment.

8.6.3.1. Travel within Newfoundland and Labrador

Where a Minister is on travel status, and is conducting Ministerial/Departmental business, the Minister may claim per diem reimbursement, at the approved rates, from the Departmental vote as follows:

<table>
<thead>
<tr>
<th></th>
<th>Breakfast</th>
<th>Lunch</th>
<th>Dinner</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$10.00 CAD</td>
<td>$15.00 CAD</td>
<td>$25.00 CAD</td>
<td>$50.00 CAD</td>
</tr>
</tbody>
</table>

8.6.3.2. Travel outside of Newfoundland and Labrador

Where a Minister is on travel status outside of Newfoundland and Labrador to conduct Ministerial/Departmental business, the Minister may claim per diem reimbursement from the Departmental vote as follows:

<table>
<thead>
<tr>
<th></th>
<th>Breakfast</th>
<th>Lunch</th>
<th>Dinner</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canada ($CAD)</td>
<td>$11.00</td>
<td>$16.50</td>
<td>$27.50</td>
<td>$55.00</td>
</tr>
<tr>
<td>USA ($USD)</td>
<td>$11.00</td>
<td>$16.50</td>
<td>$27.50</td>
<td>$55.00</td>
</tr>
<tr>
<td>International ($CAD)</td>
<td>$12.00</td>
<td>$18.00</td>
<td>$30.00</td>
<td>$60.00</td>
</tr>
</tbody>
</table>

Special per diem allowances for meals for foreign travel may be used where the cost of meals is known to be high. In applying this policy, Ministers may reference, as a guide, the meal rates as

8.7. Miscellaneous Expenses

8.7.1. Policy Statement

Ministers on Ministerial/Departmental travel status may claim miscellaneous expenses from the Departmental vote as outlined in this policy.

Ministers are responsible for ensuring miscellaneous expenses are claimed from only one source as follows:

<table>
<thead>
<tr>
<th>Source: Ministerial / Departmental Vote</th>
<th>Source: MHA / Constituency Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>When travel is related to Ministerial/Departmental business pursuant to the Ministerial Expense Reimbursement Policy outlined below.</td>
<td>When travel is related to constituency business pursuant to the Members’ Resources and Allowances Rules.</td>
</tr>
</tbody>
</table>

8.7.2. Responsibilities

Minister
It is the responsibility of Ministers to:
- ensure that detailed original receipts indicating proof of payment are included, where required, when claiming miscellaneous expenses;
- claim miscellaneous expenses to the Departmental vote when travel is related to Ministerial/Departmental business pursuant to the Ministerial Expense Reimbursement Policy; and
- claim miscellaneous expenses when travel is related to constituency business pursuant to the Members’ Resources and Allowances Rules.

Department
It is the responsibility of the individual departments to:
- ensure that miscellaneous expenses are claimed within the provisions of this policy.
8.7.3. Incidental Expenses

Ministers may claim $5.00 CAD per night for incidental expenses for every night on overnight travel status (without receipts), or laundry, valet, and other reasonable expenses, subject to the submission of detailed original receipts indicating proof of payment.

8.7.4. Telephone Calls and Internet Charges

Ministers may claim (with detailed original receipts indicating proof of payment) the cost of official long distance phone calls, or Internet charges related to Ministerial/Departmental business, while on travel status. Where the cost is not submitted for payment as part of the Minister’s official government (cellular) telephone bill, the cost may be submitted for reimbursement as part of a detailed original hotel bill receipt indicating proof of payment.

8.7.5. Passport and Related Expenses

Ministers who are required to travel outside Canada may claim (upon submission of detailed original receipts indicating proof of payment) for the cost of a passport and/or visa where these documents are required for travel and are expired or not currently owned.

Ministers may claim (upon submission of detailed original receipts indicating proof of payment) the cost of certificates of health, inoculations, vaccinations and/or other medical procedures where these are required prior to traveling.

8.7.6. Hospital and Medical Insurance

Where a Minister is required to travel outside Canada, and he or she is enrolled in the group medical insurance plan, hospital and medical insurance is provided under that plan.

Ministers who are not enrolled in the group insurance plan are not eligible to claim the cost of purchasing additional individual hospital and medical insurance.

8.7.7. Foreign Currencies and Traveler’s Cheques

Ministers may claim (upon submission of detailed original receipts indicating proof of payment) the cost of converting Canadian dollars to other currencies and converting other currencies to Canadian dollars.
Ministers may claim (upon submission of detailed original receipts indicating proof of payment) the cost of converting in excess of $100 into traveler’s cheques or the cost associated with withdrawal of foreign currency from an international automated banking machine.

### 8.7.8. Excess Luggage

Ministers may claim (with the approval of the Deputy Minister and upon submission of detailed original receipts indicating proof of payment) for the costs incurred in transporting government equipment at excess luggage rates.

### 8.8. Travel Policy

All Ministerial out-of-province travel must be approved by the Chief of Staff, Office of the Premier.

A written request is required in the form of a completed Journey Authorization.

A brief description of the purpose of the trip including the names of those traveling with the Minister should accompany the Journey Authorization.

No bookings or other liabilities related to such travel should be incurred until the official Journey Authorization is signed by the Chief of Staff to the Premier unless such liabilities are completely refundable.

#### 8.8.1. Policy Statement

Ministers on travel status will be reimbursed for incurred transportation costs as outlined in this policy.

Ministers are responsible for ensuring travel costs are claimed from only one source as follows:

<table>
<thead>
<tr>
<th>Source: Ministerial / Departmental Vote</th>
<th>Source: MHA / Constituency Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>When travel is related to Ministerial/Departmental business pursuant to the Ministerial Expense Reimbursement Policy outlined below.</td>
<td>When travel is related to constituency business pursuant to the Members’ Resources and Allowances Rules.</td>
</tr>
</tbody>
</table>
8.8.2. Responsibilities

Minister

It is the responsibility of Ministers to:

- avail of special discounts offered to government employees by airlines or automobile rental companies, where available and practical;
- claim reimbursement from the Departmental vote when travel is related to Ministerial/Department business pursuant to the Ministerial Expense Reimbursement Policy;
- provide justification and appropriate documentation of transportation expenses in excess of the most economical rate. For example, through the provision of an explanation as to why an airfare was in excess of the most economical fare class rather than the less expensive alternative; and,
- claim travel expense reimbursement related to constituency business pursuant to the Members’ Resources and Allowances Rules.

Department

It is the responsibility of the individual departments to:

- ensure that travel expenses are claimed within the provisions of this policy.

8.8.3. General Rules

Ministers must complete, and have approved, an Official Journey Authorization prior to commencement of travel.

Official Journey Authorizations for in-province travel must be signed by the Permanent Head of the Department or Agency (Deputy Minister or Chief Executive Officer).

All Ministerial travel outside of the province must be pre-approved by the Premier’s Office. No bookings or other liabilities associated with out-of-province travel should be incurred until the Official Journey Authorization is signed by the Chief of Staff to the Premier, unless those liabilities are completely refundable. In the absence of the Premier’s Chief of Staff, the Clerk of the Executive Council is authorized to approve Ministerial/Departmental out-of-province travel.

Ministers must provide the Premier’s Chief of Staff with at least 48 hours notice of leaving the province.
Ministers should notify the Department of Municipal and Intergovernmental Affairs when Ministerial/Departmental travel is out-of-province or international.

The Ministerial Expense Reimbursement Policies, with the exception of Option A, Automobile Allowance, is applicable to Parliamentary Secretaries, Parliamentary Assistants, and Members of the House of Assembly traveling on behalf of a Minister for the purpose of conducting Ministerial/Departmental business.

A Minister may begin or end his or her travel status related to Ministerial/Departmental related business from one of the following locations:
- his or her headquarters;
- permanent residence; and/or,
- another location outside the headquarters or permanent residence location.

Costs incurred to return to headquarters on an urgent basis are considered a reimbursable expense pursuant to the Ministerial Expense Reimbursement Policies inclusive of costs incurred to return to the originating destination where approved by the Chief of Staff.

Economy is expected while on travel status.

8.8.4. Air Travel

Where possible, the most economical method of booking air travel must be used, Ministers should avail of special discounts and advanced booking discounts offered by the designated travel agency.

Ministers traveling by air may claim, with detailed original receipts indicating proof of payment, the actual cost of airfare.

Economy is expected. Non-business/non-executive class fares are eligible for reimbursement. For example, Air Canada Latitude fares allowing ticket changes and refunds are considered acceptable. All air travel on scheduled flights must be based on achieving economy, except where:
- there are no non-business/economy class tickets (i.e. economical option) available and
- the travel is urgent;
- continuous travel is to a location west of Toronto;
- the travel is international; or
prior authorization is received from the Premier’s Chief of Staff.

Where business/executive class travel is used, an explanation (including appropriate supporting documentation) must be included in the Official Journey Authorization as well as the travel claim.

Where possible, Ministers should avail of special discounts and advanced booking discounts. The purchase of cancellation insurance will **not** be reimbursed.

Airline change fees incurred, or cancelled flights, are eligible for reimbursement where:
- the meeting concludes early, is cancelled, the date rescheduled, or location changed; or
- a Minister is required to either remain at or return to headquarters.

Air travel that has been cancelled, and for which credit is being provided by the airline toward future travel, may only be used for official Ministerial/Departmental travel.

All Ministers on travel status are automatically covered by air travel insurance.

Advance seat selection charges, to ensure availability of seats and attendance at a required meeting, may be eligible for reimbursement with detailed original receipts indicating proof of payment.

### 8.8.5. Sea Travel

Ministers traveling by sea may claim, with detailed original receipts indicating proof of payment, the following:
- the standard passenger fare;
- the cost of cabin accommodation, where a cabin is required; and
- the cost to transport the Minister’s vehicle, where required.

### 8.8.6. Travel in Government or Rental Vehicles

Where the automobile allowance is the chosen mechanism of reimbursement, vehicle rentals within, or originating from, the capital region are eligible for reimbursement under occasional and reasonable circumstances only. Prior approval of the Premier’s Chief of Staff is required. Examples of situations which may be eligible for reimbursement include where it can be demonstrated that the
use of a rental vehicle is more practical and/or economical than scheduled non-business class airfare.

Reimbursement for a rental vehicle is provided with the provision of detailed original receipts indicating proof of payment where the rental is preceded by air travel outside the capital region.

Where mileage is the chosen reimbursement option for ground travel, long-term vehicle rentals (in excess of five days) are not eligible for reimbursement where travel is within Newfoundland and Labrador (including the capital region) unless prior authorization from the Chief of Staff is received.

Ministers using government or rental vehicles must:
- be duly licensed drivers;
- adhere to the rules and procedures established by the department;
- ensure that unauthorized personnel are not carried in the vehicle;
- pay all tickets and fines incurred while operating the vehicle; and
- report, in writing, all accidents and ensure that the required action is taken.

Government or rental vehicles must not be used for personal purposes.

The use of government vehicles must be limited to official business purposes only and stored in, or on, government provided storage facilities or at a place approved by the Department’s permanent head (i.e. Deputy Minister, CEO, etc.).

Ministers must charge necessary expenses incurred in the operation of a government vehicle to the corporate charge allocated to that particular vehicle. In circumstances where that charge card is unavailable, the Minister may claim from the Departmental vote those necessary expenses with the provision of detailed original receipts indicating proof of payment.

It is recommended that the corporate charge card be used for the rental of vehicles. Wherever possible, Ministers should take advantage of specials or discounts offering the lowest price. The corporate charge card automatically provides collision damage waivers on rental vehicles (subject to criterion – available upon request), free of charge.

Ministers will not purchase collision damage waivers and/or personal life insurance when renting vehicles for government business as government retains responsibility for payment of physical...
damage claims on leased or rented vehicles. The use of the corporate charge card will reduce or eliminate government’s liability for collision damage to rented vehicles.

Rental vehicle expenses are not eligible for reimbursement from the Ministerial/Departmental vote when within commuting distance of the Minister’s permanent residence or within the Minister’s constituency.

Notwithstanding, where a Minister’s permanent residence is located outside of their constituency, vehicle rental within their constituency (located outside the capital region) for the purposes of Ministerial/Departmental business would be eligible for reimbursement where approved by the Chief of Staff (or delegate).

Global Positioning System (GPS) navigation features associated with a rental vehicle are a reimbursable expense.

Please note that the Members’ Resources and Allowances rules would apply for vehicle rental within a Minister’s constituency for constituency-related business.

Claims for reimbursement for rental vehicles must include all detailed original receipts indicating proof of payment.

**8.8.7. Use of Taxis and Public Transportation**

Reimbursement for taxi expenses within the capital region and the Minister’s constituency is limited.

Ministers may use taxis, when on travel status, when such use is justifiable and taxis are the only or most economical means of transportation. For example, Ministers may use taxis (shuttle service or airport buses) for transportation to and from airports, including where it is not feasible to use the Minister’s private vehicle.

Ministers using taxis (shuttle service or airport buses) must note the starting point and destination of the taxi trip on their travel claim or on the taxi receipt, where the trip is billed directly to the department.

Detailed original receipts indicating proof of payment are required for reimbursement of all taxi charges.
8.8.8. Toll, Bridge, Ferry and Parking Fees

Ministers traveling by private vehicle from home or the workplace to a point of departure (such as an airport or ferry dock) and arrival, may claim parking fees with detailed original receipts indicating proof of payment.

Parking fees incurred, while on travel status, for parking a vehicle in a parking garage or parking lot may be reimbursed with the provision of detailed original receipts indicating proof of payment.

Ministers may claim for bridge, ferry and highway tolls, without receipts, where these tolls have been paid and a receipt is not normally issued. Where a receipt is issued, the Minister must submit, with their Travel Claim, the detailed original indicating proof of payment.

8.8.9. Spousal and Dependent Travel

Spousal and dependent travel expenses are not eligible for reimbursement.

8.8.10. Completing Travel Claim Expense Forms

Travel claims must be submitted using the Expense Claim Management System (ECMS) and must state the purpose of the trip.

Individual entries on travel claims must be completed in chronological order by date of expense. Receipts, ticket stubs, etc., should be numbered in the sequence in which the expenses are listed on the claim. Please refer to Financial Management Circular 2.040 (May 2007) for specific details on the requirements for attachments accompanying a travel claim.

Details must be provided for all travel claim entries. Where explanations for certain expenditures are required and insufficient space is available on the claim form, a separate sheet with dates quoted as a cross reference, should be attached to the claim.

Travel Expense Claims must be signed by the Minister and signed-off by the Department's permanent head (i.e.: Deputy Minister, CEO, etc.).

In accordance with the Access to Information and Protection of Privacy Act, 2015, Ministers must ensure that supporting documentation limits disclosure of personal information to that which is
required to allow the Comptroller General of Finance to effectively meet his or her responsibilities as set out in the Financial Administration Act (e.g. blackout by claimant of credit card number and unrelated payment information, etc.)

8.9. Travel and Living Expenses

8.9.1. General Principles

Travel and living expenses incurred by a Minister within the capital region when the House of Assembly is in session must be claimed pursuant to the Members’ Resources and Allowances Rules.

It is recognized that Ministers may choose to reside either: (i) within their constituency; (ii) outside their constituency but outside the capital region; or (iii) within the capital region.

No Minister should have to carry out public duties at serious personal financial sacrifice.

Ministers should be provided with sufficient resources and should be reimbursed for reasonable expenses incurred while performing Ministerial/departmental duties.

Legitimate expenses incurred by a Minister conducting Ministerial/Departmental business should be eligible for reimbursement.

There is no ‘one size fits all’ and therefore flexibility is provided for the Minister to adopt an arrangement that best meets individual needs.

The Government of Newfoundland and Labrador Executive employee reimbursement rates are considered as a benchmark and Members’ Resources and Allowances are used as a ‘floor’.

It is recognized that Ministerial/departmental duties require the Minister to attend regularly scheduled Committees of Cabinet and Cabinet meetings for which participation (normally on a weekly basis) is mandatory.
A Minister is required to oversee, and is accountable for, all departmental matters including the provision of direction within the Ministry to which they were appointed. Hence, a significant portion of the Minister’s time is required for the conduct of Ministerial/departmental business.

8.9.2. Policy Statement

Ministers may be eligible to receive additional travel and living provisions, as outlined in this policy. The purpose of these provisions is to offset travel and living expenses that a Minister maintaining a permanent residence outside his or her headquarters area may incur when conducting Ministerial business at headquarters.

Ministers are responsible for ensuring travel and living expenses are claimed from only one source as follows:

<table>
<thead>
<tr>
<th>Source: Ministerial / Departmental Vote</th>
<th>Source: MHA / Constituency Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Where travel and living expenses are related to the conduct of Ministerial/Departmental business at headquarters pursuant to the Ministerial Expense Reimbursement Policy outlined below.</td>
<td>When the House of Assembly is in session and travel is to the capital region, expenses are claimed pursuant to the Members’ Resources and Allowances Rules. Constituency-related travel outside the capital region is claimed pursuant to the Members’ Resources and Allowances.</td>
</tr>
</tbody>
</table>

8.9.3. Responsibilities

Minister

It is the responsibility of Ministers to:

- provide to the Department a copy of the affidavit presented to the Speaker of the House of Assembly in which the Minister declares the location of their permanent residence;
- claim expenses when on Ministerial/Departmental travel status pursuant to the Ministerial Expense Reimbursement Policy;
- ensure travel and living expenses incurred as a result of conducting Ministerial/Departmental business at headquarters are claimed for reimbursement from the Departmental vote pursuant to the Ministerial Expense Reimbursement Policy; and
• claim constituency-related travel and living expenses pursuant to the Members' Resources and Allowances Rules.

Department
It is the responsibility of the individual departments to:
• ensure that travel and living expenses incurred while conducting Ministerial/Departmental related business are claimed within the provisions of this policy.

8.9.4. For a Minister who maintains a permanent residence within his or her headquarters area

A Minister who maintains a permanent residence within his or her headquarters area is not entitled to claim for travel and living expenses incurred when conducting Ministerial business at headquarters.

When conducting Ministerial/Departmental business at a headquarters located outside the capital region that coincides with his or her permanent residence the Minister is not entitled to claim accommodation or meal reimbursement.

8.9.5. For a Minister who maintains a permanent residence outside his or her headquarters area

For the purposes of conducting Ministerial/Departmental business at headquarters, where a Minister maintains a permanent residence outside his or her headquarters area, the Minister may claim reimbursement from the Departmental vote to a maximum number of return trips, accommodation nights and meal per diems.

Where continuous travel between the Minister's permanent residence and headquarters is not possible, in-transit accommodation expenses and prorated meal per diems are eligible for reimbursement. Detailed original receipts indicating proof of payment is required for accommodation expense reimbursement where temporary accommodation expenses are incurred. Examples of circumstances where in-transit costs would be eligible for reimbursement include: (i) where regularly scheduled transportation routes do not offer a connecting link on that particular day; or (ii) where inclement weather occurs and it is no longer safe to continue travel to the destination.

Where a Minister chooses the option of mileage claim reimbursement for ground transportation purposes and returns nightly to his or her permanent residence, the Minister may claim reasonable
mileage traveled provided that the amount claimed does not exceed accommodation or meal per diem expenses that would otherwise have been claimed.

Claims for accommodation and meal per diems are not eligible for reimbursement where a Minister returns to his or her permanent residence on a nightly basis.

Incidental expenses ($5 per day without receipt) are not considered a reimbursable travel and living expense for travel to the capital region to conduct Ministerial/Departmental related business.

8.9.6. Reimbursement

Reimbursement is dependent on the location of the Minister’s permanent residence/constituency (Table 2 – District Categorization refers).

Travel Expenses to a Maximum Number of Return Trips
- Economy is expected and based on the Travel Policy outlined above.
- The maximum number of return trips (between the capital region and the Minister’s district or permanent residence) is 48 per year. This maximum number is based on a combination of the total number of intersessional (not in session) and sessional trips claimed by the Minister pursuant to the Members’ Resources and Allowances plus the number of Ministerial/Departmental trips claimed by the Minister to the departmental vote.
- Airfare (economy expected) will be considered an eligible expense for reimbursement only where a Minister’s permanent residence is located within Category IV or V of Table 2 below. Detailed original receipts indicating proof of payment are required for reimbursement.

Accommodation When the House of Assembly is Not In Session
- The actual cost of temporary accommodation, with detailed original receipts indicating proof of payment, for every night actually occupied by the Minister (economy expected); or
- Ministers may make private arrangements for overnight accommodation and will be reimbursed for every night actually occupied by the Minister, without receipt, $53 CAD per night consistent with the approved rate.

Accommodation expenses incurred within the capital region when the House of Assembly is in session must be claimed pursuant to the Members’ Resources and Allowances Rules.
Meal Expenses (Per Diems) When the House of Assembly is Not In Session

- **Per diems** ($50 per day prorated for part days that qualify under the Meals Allowance Policy) toward the cost of meals. In a single day, per diems must be entirely charged against either the Ministerial allowance or the MHA allowance.
- Ministerial/Departmental business-related meal expenses may be claimed from the Departmental vote with the provision of detailed original receipts indicating proof of payment. The per diem meal allowance must be prorated accordingly.
- When the House of Assembly is in session meal per diems must be claimed pursuant to the Members’ Resources and Allowances Rules.
# Table 1: Travel/Living Expense Allowances

<table>
<thead>
<tr>
<th>District Category</th>
<th>Travel</th>
<th>Accommodation</th>
<th>Meals</th>
</tr>
</thead>
<tbody>
<tr>
<td>CATEGORY I (Capital Region)</td>
<td>Ministers representing constituencies within the capital region would not be entitled to receive a supplementary travel and living allowance.</td>
<td>Maximum of 10 nights per year.</td>
<td>Maximum of 10 daily meal per diems per year.</td>
</tr>
<tr>
<td></td>
<td>Economy is expected as outlined in the Travel Policy.</td>
<td>Temporary Accommodation, with receipt</td>
<td>Prorated Without receipt.</td>
</tr>
<tr>
<td></td>
<td>Automobile allowance or mileage claims (pending on alternative chosen by the Minister) is intended for ground transportation purposes.</td>
<td>Private Accommodation: $53/night without receipt.</td>
<td></td>
</tr>
<tr>
<td>CATEGORY II (Adjacent to the Capital Region)</td>
<td>Intended for circumstances where the Minister is unable to return to his or her permanent residence overnight, e.g. in the event of inclement weather.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Economy is expected as outlined in the Travel Policy.</td>
<td>Temporary accommodation, with receipt.</td>
<td>Prorated Without receipt.</td>
</tr>
<tr>
<td></td>
<td>Automobile allowance or mileage claims (pending on alternative chosen by the Minister) is intended for ground transportation purposes.</td>
<td>Private Accommodation: $53/night without receipt.</td>
<td></td>
</tr>
<tr>
<td>CATEGORY III</td>
<td>Economy is expected as outlined in the Travel Policy.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Temporary accommodation, with receipt.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Private Accommodation: $53/night without receipt.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CATEGORY IV CATEGORY V</td>
<td>Economy is expected as outlined in the Travel Policy.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Temporary accommodation, with receipt.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Private Accommodation: $53/night without receipt.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Combined maximum of 48 return airfare trips in a year.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Non-business class airfare deemed an eligible expense, with receipt.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

120 Minister’s Handbook
### Table 2: District Categorization

<table>
<thead>
<tr>
<th>Category I</th>
<th>Category II</th>
<th>Category III</th>
<th>Category IV</th>
<th>Category V</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Region</td>
<td>Adjacent to the Capital Region</td>
<td>Accommodation Meals</td>
<td>Airfare</td>
<td>Airfare</td>
</tr>
<tr>
<td>No Additional Provisions</td>
<td>Accommodation Meals</td>
<td>Accommodation Meals</td>
<td>Accommodation Meals</td>
<td>Accommodation Meals</td>
</tr>
<tr>
<td>Cape St. Francis</td>
<td>Harbour Main</td>
<td>Bonavista</td>
<td>Fortune Bay – Cape La Hune</td>
<td>Labrador West</td>
</tr>
<tr>
<td>Conception Bay East – Bell Island</td>
<td>Harbour Grace - Port De Grave*</td>
<td>Terra Nova</td>
<td>Humber – Bay of Islands</td>
<td>Lake Melville</td>
</tr>
<tr>
<td>Conception Bay South</td>
<td>Placentia – St. Mary’s*</td>
<td>Burin – Grand Bank</td>
<td>Humber – Gros Morne</td>
<td>Torngat Mountains</td>
</tr>
<tr>
<td>Mount Pearl North</td>
<td>Ferryland (south of Witless Bay Line)*</td>
<td>Carbonear – Trinity – Bay De Verde</td>
<td>Corner Brook</td>
<td>Cartwright – L’Anse Au Clair</td>
</tr>
<tr>
<td>Mount Pearl Southlands</td>
<td></td>
<td>Placentia West – Bellevue</td>
<td>Burgeo – La Poile</td>
<td></td>
</tr>
<tr>
<td>Mount Scio</td>
<td></td>
<td>Harbour Grace - Port De Grave*</td>
<td>Fogo Island – Cape Freels</td>
<td></td>
</tr>
<tr>
<td>Ferryland (north of Witless Bay Line)</td>
<td></td>
<td>Placentia – St. Mary’s*</td>
<td>Stephenville – Port Au Port</td>
<td></td>
</tr>
<tr>
<td>St. John’s Centre</td>
<td></td>
<td>Ferryland (south of Witless Bay Line)*</td>
<td>St. Barbe – L’Anse aux Meadows</td>
<td></td>
</tr>
<tr>
<td>St. John’s East – Quidi Vidi</td>
<td></td>
<td></td>
<td>St. George’s – Humber</td>
<td></td>
</tr>
<tr>
<td>St. John’s West</td>
<td></td>
<td></td>
<td>Gander</td>
<td></td>
</tr>
<tr>
<td>Topsail-Paradise</td>
<td></td>
<td></td>
<td>Baie Verte – Green Bay</td>
<td></td>
</tr>
<tr>
<td>Virginia Waters-Pleasantville</td>
<td></td>
<td></td>
<td>Lewisporte – Twillingate</td>
<td></td>
</tr>
<tr>
<td>Waterford Valley</td>
<td></td>
<td></td>
<td>Exploits</td>
<td></td>
</tr>
<tr>
<td>Windsor Lake</td>
<td></td>
<td></td>
<td>Grand Falls – Windsor – Buchans</td>
<td></td>
</tr>
</tbody>
</table>