



Special Standing Committee on Members' Services

Subcommittee to Review the Members' Services
Committee Orders and Expenditure Guidelines

Interim Report - Review of the Constituency Services Order

Thirtieth Legislature

Second Session

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COMMITTEES
OF THE LEGISLATIVE ASSEMBLY

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**MEMBERS OF THE SUBCOMMITTEE TO REVIEW THE MEMBERS'
SERVICES COMMITTEE ORDERS AND EXPENDITURE GUIDELINES**

30th Legislature, Second Session

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1.0 SUBCOMMITTEE MANDATE

On November 30, 2020, the Members' Services Committee (the "Committee") passed the following motion:

that the Special Standing Committee on Members' Services

(a) establish a Subcommittee to

- (i) meet, from time to time at the call of the Chair of the Subcommittee, to review the Members' Services Committee Orders, the Members' Expenditures Guidelines and the Caucus Expenditure Guidelines, and
- (ii) present recommendations to the Committee based on its review within five months after commencing its review;

and

(b) approve the following requirements that apply to the Subcommittee and its membership:

- (i) the presence of two-thirds of the Subcommittee is necessary to constitute a quorum;
- (ii) the Subcommittee is to be composed of
 - (A) a Chair, being a member of the Government Caucus
 - (B) three additional members of the Government Caucus, and
 - (C) two members of the Official Opposition;
- (iii) substitutions from the membership of the Committee be permitted on the Subcommittee.

The Government Caucus and Official Opposition Caucus submitted the names of the Members to be appointed to the Subcommittee to Review the Members' Services Committee Orders and Expenditure Guidelines (the "Subcommittee") by noon on December 1, 2020.

The Subcommittee began its review on December 10, 2020.

2.0 INTRODUCTION

The Subcommittee has met twice since commencing its review of the Members' Services Committee Orders (the "Orders"), on December 10, 2020, and January 14, 2021. At these meetings the Subcommittee requested and received briefing materials from Legislative Assembly Office administration and examined, in particular, a key issue identified in connection with the *Constituency Services Order*. Discussions are continuing on several matters, but the Subcommittee has agreed upon a recommendation for amendments to the *Constituency Services Order*.

This interim report summarizes the amendments that the Subcommittee is currently prepared to recommend.

3.0 SUBCOMMITTEE RECOMMENDATIONS

3.1 Members' Communications - *Constituency Services Order*

The Subcommittee recommends that section 1.1 of the *Constituency Services Order* be amended to clarify the rules applicable to the content of communications materials paid from the Member's Services Allowance (the "MSA"). In particular, interpretive provisions should be added to clarify that advocacy or policy statements or opinions in communications materials paid from the MSA are permitted if those statements or opinions are related to proceedings of the Legislative Assembly or its committees, or activities undertaken in representing a Member's constituency or constituents. The rules should also note that Members are permitted to provide information to constituents about programs and services.

Recommendation

To implement this change, the Subcommittee recommends that the *Constituency Services Order* be amended as follows:

- (a) by renumbering section 1.1 as section 1.2;**
- (b) by adding the following immediately before section 1.2:**

INTERPRETATION

1.1 This Order is to be interpreted in a manner that supports a Member's exercise of discretion in relation to expenditures from the Member's Allowance, subject to the rules in this Order and the authority of the Members' Services Committee and the Legislative Assembly.

- (c) by adding the following immediately after section 1.2(2):**

- (3) For greater certainty, a Member's advocacy or policy statement or opinion, or provision of information about a program or service, is not considered to be a partisan activity if it relates to either of the following:
 - (a) activities related to proceedings of the Legislative Assembly or its committees;
 - (b) activities undertaken in representing the Member's constituency or constituents.

4.0 STATUS OF SUBCOMMITTEE'S DELIBERATIONS

There are a number of additional matters being reviewed by the Subcommittee, which will be addressed in a subsequent report.