



HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

DIRECTIVE

Directive Number 2009 – 003

Effective Date: May 19, 2009	Commission Minute: CM 2009 - 027
Subject: Cellular and Landline Phone Services Policy for Members of the House of Assembly and Constituency Assistants, May 19, 2009	Reference: HOAMC Meeting, May 13, 2009 Agenda Item 6
Issued To: All Members of the House of Assembly; Comptroller General; Directors of Government Accounting, Professional Services and Internal Audit, OMSP, and Corporate Services; Office of the Auditor General; Office Managers of Government Caucus, Official Opposition Caucus, NDP Caucus; Assistant Deputy Clerk, Executive Council; Director of Operations, Office of the Premier.	Contact: Marlene Lambe Chief Financial Officer 729 – 2923

BACKGROUND

- Subsections 20(1) and 20(3) of the *House of Assembly Accountability, Integrity and Administration Act* states that

20. (1) The commission is responsible for the financial stewardship of all public money, within the meaning of the *Financial Administration Act*, that may be voted by the House of Assembly for the use and operation of the House of Assembly and statutory offices, and for all matters of financial and administrative policy affecting the House of Assembly, its members, offices and staff and in connection with them and, in particular, the commission shall

(c) implement and periodically review and update financial and management policies applicable to the House of Assembly service and statutory offices;

(3) Notwithstanding paragraph (1)(c), where a financial or management policy has not been established by the commission for the House of

Assembly and statutory offices, the financial and management policies of the government shall apply.

- A Treasury Board directive was issued in 2008 which updated the General Policies for Cellular Phones (including Blackberry units) for the Executive branch of government. However, the policy provides guidelines for assessing the need for phones, types of cellular phones (digital cellular versus blackberry) and these guidelines are not appropriate for Members of the House of Assembly. It also does not address landline phone services.

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- The Cellular and Landline Phone Services Policy for Members of the House of Assembly and Constituency Assistants, May 19, 2009 approved by the House of Assembly Management Commission provides direction regarding services for cellular phones and landline long distance services.

DIRECTIVE

Pursuant to subparagraph 20(6)(b)(ii) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission adopts the Cellular and Landline Phone Services Policy for Members of the House of Assembly and Constituency Assistants, May 19, 2009.

William MacKenzie
Clerk of the House of Assembly



House of Assembly

Cellular and Landline Phone Services Policy

for

Members of the House of Assembly and Constituency Assistants

May 19, 2009

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1. Approval

Under the authority of subparagraph 20(6)(b)(ii) of the *House of Assembly Accountability, Integrity and Administration Act*, the House of Assembly Management Commission establishes this policy respecting services for cellular phones and landline phones for Members of the House of Assembly and their Constituency Assistants.

2. Purpose

To provide direction to Members of the House of Assembly and Constituency Assistants regarding cellular phone and landline long distance services.

3. General

Members of the House of Assembly and Constituency Assistants must ensure that the phone services provided are eligible for reimbursement under the *House of Assembly Accountability, Integrity and Administration Act*, the *Members' Resources and Allowances Rules*, and Directives of the Commission.

4. Process

4.1. Applicability

This policy applies to all cellular phone and landline long distance services which are paid by the Legislature for Members of the House of Assembly and Constituency Assistants.

4.2. Definitions

For the purposes of this policy, the term "cellular phone" refers to analog and digital cellular phones, as well as Blackberry units and similar electronic devices that provide data and/or phone communications.

For the purposes of this policy, the term "landline phone" refers to the office phone or the home phone in the Member's residence.

"User" means a Member of the House of Assembly or a Constituency Assistant.

“Business purposes” means constituency business (as defined in S.2 of the *Members’ Resources and Allowance Rules*) and departmental business (in the case of Members who are Ministers and have been provided with a cellular phone and services package by the Legislature).

4.3. Restrictions

This policy does not apply to any phone services provided by the Executive Branch of government.

4.4. Cellular Phones

Each user is responsible for the security of the cellular phone and should be aware that cellular phone conversations may not always be secure and confidential.

Each user is responsible for ensuring that the cellular phone is used in a manner that is consistent with this policy.

Cellular phones are intended for business purposes only. However, it is recognized that some incidental personal usage may occur as a result of the user not being accessible by landlines on a regular basis.

Users are not required to reimburse Government for incidental personal phone or data usage. Personal usage that exceeds what is considered “incidental” should be reimbursed to Government. Each user must set the threshold for his/her incidental usage based on the particular circumstances and expected requirement for personal usage. Some general guidance would be: personal usage that exceeds 10% of the monthly airtime/data usage costs; airtime exceeding 80 minutes per month; or some other reasonable basis that is consistent with the business demands placed upon the cellular phone user.

Each user should avail of temporary packages when travelling to the United States. Contact Corporate and Members’ Services Division staff to arrange the period of coverage.

4.5. Landline Phones

The user is responsible for ensuring that the long distance charges on each landline phone assigned for his/her use were incurred by the user for business purposes.

Each user is responsible for reimbursing to the Newfoundland Exchequer Account through the Central Cashier's Office the cost of personal long distance calls.

4.6. Administrative Matters

Each billing period, Corporate and Members' Service Division will send each Member copies of all phone bills that are charged to the Member's allocation. The Member is responsible for reviewing and signing a statement each billing period to ensure that the phone services are accurate. If the user does not sign and return the statement to Corporate and Members' Service Division of the House of Assembly Service, it is assumed that the user is in agreement with the charges for that billing period.

A detailed review may not be feasible given the nature of cellular phones, the inherent difficulty in identifying the nature of certain phone calls (especially incoming calls due to lack of detail on the bill), and the relatively insignificant amounts involved in some cases. Therefore, a reasonable review of the bill details is acceptable.

5. References

Members' Resources and Allowances Rules

Directive 2007-003 - Standard Office Allocation

Directive 2007-021 - Phone lines in private residences