

Message from the Chief Electoral Officer and Commissioner for Legislative Standards

It is with pleasure that I present the 2014-2017 Activity Plan for the Office of the Chief Electoral Officer (OCEO) and the Commissioner for Legislative Standards.

The OCEO, or Elections Newfoundland and Labrador (ENL), is responsible for exercising general direction and supervision over the administrative conduct of elections and for enforcing fairness, impartiality and compliance with the *Elections Act, 1991*.

The Commissioner for Legislative Standards is responsible for the enforcement of the Conflict of Interest provisions under the *House of Assembly Act* (Part II – Conflict of Interest). The Commissioner may provide advice and recommendations to members of the House of Assembly in the filing of their annual disclosure statements and is responsible for reporting to the Speaker annually on the affairs of the Commissioner. In addition, the Commissioner is responsible for hearing appeals of public office holders under the *Conflict of Interest Act, 1995*.

This activity plan describes the OCEO's overall work program, establishes our priorities and indicates the performance measures we expect to achieve over the next three years. Additionally, it describes the Commissioner for Legislative Standards' activity plan for the next three years, which includes facilitating member compliance with legislation.

The OCEO and the Commissioner for Legislative Standards are both considered Category 3 entities under the *Transparency and Accountability Act*. Therefore, an Activity Plan that sets a clear direction of the actions that have to be completed to fulfill the mandate of both the OCEO and the Commissioner must be prepared. As the Chief Electoral Officer and Commissioner for Legislative Standards, I am accountable for the preparation of this plan and for the achievement of its goals and objectives.

Victor Powers

Chief Electoral Officer &
Commissioner for Legislative
Standards



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Section A: Office of the Chief Electoral Officer

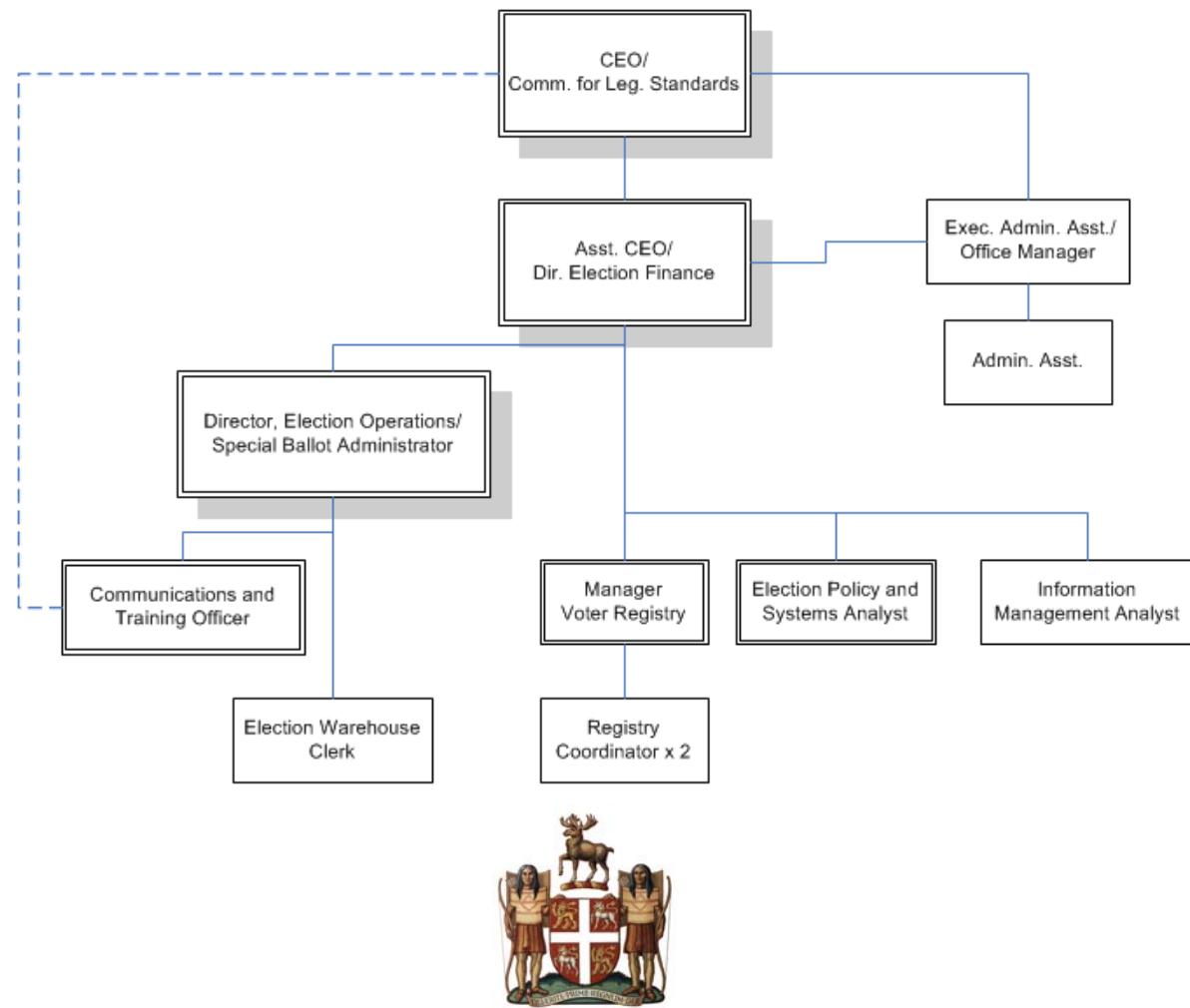
Introduction

The Office of the Chief Electoral Officer (OCEO) is a non-partisan office responsible for the conduct of provincial elections, by-elections and plebiscites. The OCEO is accountable to the House of Assembly and to the people of Newfoundland and Labrador.

The OCEO is responsible for ensuring fairness, impartiality and compliance with all aspects of the *Elections Act, 1991*.

In addition to responsibilities associated with provincial elections, the OCEO works co-operatively with federal, provincial and municipal governments in the sharing of information relative to the maintenance of an accurate, comprehensive and up-to-date permanent list of electors. These initiatives are supplemented by promotional activities and educational programs aimed at encouraging voter registration.

The relatively small permanent staff of the OCEO is dependent on, and appreciative of, the work contributed by a large number of temporary office employees and electoral field staff employed before, during and after electoral events.



The OCEO is located at 39 Hallett Crescent, St. John's, in the O'Leary Industrial Park. The telephone number is 729-0712 and the fax number is 729-0679. The Elections Newfoundland and Labrador website (www.elections.gov.nl.ca) provides information about the OCEO itself, as well as information for electors about the voting process.

Overview

An Activity Plan must take into account the external and internal environments which affect the organization's ability to achieve its goals and objectives. There are several factors which affect the OCEO's planning.

Demographics

In determining how to more effectively serve the electorate of this Province, the population's demographics must be taken into consideration. The OCEO must be knowledgeable of elector groups and what their specific needs may be. For example, Special Ballot voting is offered to residents of personal care homes and patients in hospitals around the province on a date prior to the advance poll and regular polling day. This allows residents and patients to vote in a convenient manner without having to leave the premises.

In addition, the Special Ballot voting option is available to those electors who feel they will be unable to vote in person at the advance poll or on regular polling day. Typical electors who might select this option would be persons working at remote work sites and persons with mobility issues and could include a home visit to enable a person to vote.

Our advertising plan includes a detailed analysis of the scope of radio, newspaper, magazine and Internet advertising to determine which advertising mediums will most effectively communicate key messages.

Legislation

Electoral legislation has evolved and continues to evolve to meet the changing needs of the people of this Province. Our planning must respond to legislative changes and the challenges they can present.

Technology

Technological change is an intricate part of today's society. Rapid advancements in this area have significantly affected the electoral process in the past and will continue to do so in the future.



Staff

The OCEO must maintain a constant state of readiness for an election. Although current legislation provides for fixed-term general elections, by-elections can occur at any time and in any district in the province. It is imperative that our staff be well versed and trained in electoral procedures to properly respond when an electoral event occurs.

Mandate

In accordance with the *Elections Act, 1991*, it is the duty of the Chief Electoral Officer to:

- (a.) exercise general direction and supervision over the administrative conduct of elections and to enforce on the part of election officers fairness, impartiality and compliance with [the Act];
- (b.) issue to election officers those instructions that he or she considers necessary to ensure effective execution of [the Act]; and
- (c.) perform all other duties that are imposed on him or her by or under [the Act].

Lines of Business

The OCEO provides the following lines of business in carrying out its mandate.

Facilitate Elector's Right to Vote

Every Canadian Citizen who is over the age of 18 and is resident of Newfoundland and Labrador has a right to vote. The OCEO facilitates this right by communicating to electors the necessary information required to vote in a convenient and effective manner. The OCEO works to ensure our staff is well trained and versed in electoral processes and procedures so the electorate will have the best possible election experience.

Election Preparation

Preparation for an election is a continuous process consisting of a myriad of duties and responsibilities including ordering and maintenance of supplies; preparation and distribution of materials to the field; designing and conducting training and providing support to election officials; and preparation and maintenance of communication channels with internal and external stakeholders.



Voter Registry/Boundary Issues

The Voter Registry division of the OCEO maintains voter and geographic data necessary to ensure a constant state of readiness for elections, by-elections, plebiscites and/or boundary redistribution.

The exchange of information with federal, provincial and municipal governments and the continuous updating of both voter and geographic data are key functions of the Registry. In addition, the Registry provides a range of services to Newfoundlanders and Labradorians during and between electoral events through maintenance of voter and address data; implementation of voting area boundary adjustments; managing address resolution and collection; and responding to information requests and ensuring safeguarding of data.

Election Finance

The Election (Political) Finance area provides education, guidance and assistance to candidates and political parties with respect to the Election Finance provisions of Part III of the *Elections Act, 1991*.

Duties in this area include examination of financial returns from political parties and election candidates, provision of guidelines respecting Part III requirements to auditors, registered candidates and political parties, reimbursement of election expenses and publishing of reports upon the affairs of the office concerning political financing.

Communications

The OCEO uses various methods to communicate clearly with its primary clients on matters pertinent to its mandate. Public notices and public service announcements, information brochures, paid advertising, press releases and media information kits are just a few of the methods employed to inform stakeholders of what they need to know about our processes.

Additionally, OCEO's website (www.elections.gov.nl.ca) is a vital tool in the communication of up-to-date information pertaining to our business operation.



Values

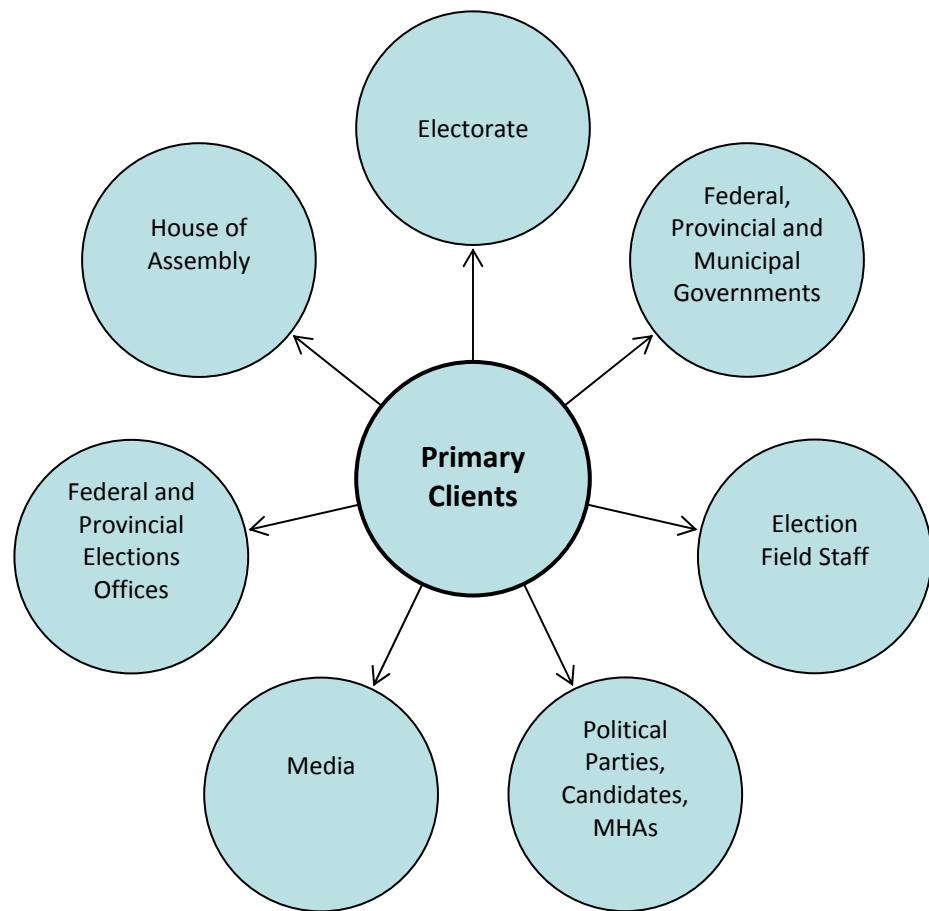
The importance of having values in an organization is often overlooked. OCEO recognizes the importance of having formal values in place and in communicating them to staff.

VALUES	ACTION STATEMENTS
Confidence	Approach your duties with the confidence that you are properly trained and knowledgeable in your field. Pursue professional and personal development and strive to create confidence amongst your co-workers. Be proud of what you accomplish.
Integrity	Exhibit the courage to face problems, accept responsibility for your actions and work towards solutions. Take pride in the fact that you have given fair and honest effort.
Fairness	Perform all tasks and duties with a view to ensuring the electoral process is not only fair for all involved but that it is seen to be so.
Impartiality	Contribute to maintaining a non-partisan environment in your dealings with all our stakeholders.
Accountability	Hold yourself accountable for what you do and expect others to do the same.



Primary Clients

Primary clients are those individuals, groups and organizations which the OCEO deals with on a regular basis and which require significant use of available resources and services.



Vision

OCEO's vision is to be an organization that inspires confidence on the part of all those involved in the electoral process by exercising impartiality, excellence, and professionalism.



Mission

The mission identifies the primary focus of the OCEO for the term ending in 2017. The mission also includes measures and indicators that will assist OCEO in evaluating progress.

Mission: By 2017, the Office of the Chief Electoral Officer will have implemented programs and services required to support Provincial General Elections and by-elections.

Measure: Implemented programs and services.

Indicators:

- Enhanced ability to maintain voter data
- Enhanced ability to maintain state of electoral readiness



Activity

Preparedness and Maintenance

The OCEO is expected to maintain a constant state of readiness to be prepared at all times for elections and by-elections. Therefore, the OCEO must ensure that all business areas are working together to form a cohesive and efficient operation. An integral part of the election process is the maintenance of the permanent list of electors, which must be kept up to date to ensure an accurate elector database. The Voter Registry division at the OCEO is responsible for the maintenance of the permanent list of electors and apportioning population to polling divisions within established electoral districts. In addition, the OCEO will have improved availability of voter information in support of the 2015 Provincial General Election.

The objective, measure and indicators below will be reported on each year in the planning cycle.

Annual Objective: By March 2015, the Office of the Chief Electoral Officer will have maintained the Voter Registry to ensure readiness for elections and by-elections, and will report on this objective each year in the planning cycle.

Measure: Enhanced ability to maintain the Voter Registry.

Indicators:

- Maintained the permanent list of electors
- Apportioned population to polling divisions within established electoral districts
- Explored options for future developments and improvements to electoral management systems



Section B: Commissioner for Legislative Standards

Introduction

The Commissioner for Legislative Standards is an officer of the House of Assembly. The Office of the Commissioner for Legislative Standards has traditionally been held by the same individual who holds the position of Chief Electoral Officer.

In addition to the responsibilities assigned under the *House of Assembly Act* and the *House of Assembly Accountability, Integrity and Administration Act*, the Commissioner is also responsible for hearing appeals of public office holders under the *Conflict of Interest Act, 1995*.

The Commissioner's office is located at 39 Hallett Crescent, St. John's, NL, A1B 4C4. The telephone number is 729-0714 and the fax number is 729-0679.

Mandate

Under the *House of Assembly Act* (Part II – Conflict of Interest), the Commissioner is responsible for the enforcement of the Conflict of Interest provisions of the Act as they pertain to current and former Members of the House of Assembly (MHAs).

On April 1 of each year, every elected MHA is required to file disclosure statements with the Commissioner. After doing so, the Commissioner prepares public disclosure statements for each member, which are then made available for viewing by the public.

The Commissioner may provide advice to members regarding whether or not steps need to be taken to ensure their obligations under legislation are fulfilled. The Commissioner may also be required to provide opinions, make recommendations or conduct inquiries on matters pertaining to the obligations of members under Part II of the *House of Assembly Act* or under the Code of Conduct provisions of Part V of the *House of Assembly Accountability, Integrity and Administration Act*.

As an officer of the House of Assembly, the Commissioner must report annually on the affairs of the office to the Speaker of the House of Assembly, who then presents the report to the House of Assembly.

The mandate of the Commissioner for Legislative Standards is to ensure that the Conflict of Interest legislation is followed by all members and to hear appeals of public office holders.



Lines of Business

The Commissioner for Legislative Standards provides the following lines of business in carrying out his mandate.

Inquiries

The Commissioner for Legislative Standards may conduct inquiries to determine whether a member has failed to fulfill an obligation under the conflict of interest provisions of the *House of Assembly Act* or the code of conduct provisions of the *House of Assembly Accountability, Integrity and Administration Act*.

Disclosure Statements

Within 60 days of his or her election or appointment, before the second April 1 following this date and before each April 1 thereafter, every elected member and appointed minister is required to file with the Commissioner a disclosure statement in a form determined by the Commissioner that is a full statement of the member's private interests other than certain personal property identified under subparagraph 20(a)(iv) of the *House of Assembly Act*.

The Commissioner then prepares a public disclosure statement for each member, which is submitted to the member for review and which is placed on file at the Commissioner's office and made available for public inspection during normal business hours.

During this process the Commissioner may provide advice, give an opinion and/or make recommendations to members to ensure the member has fulfilled the member's disclosure obligations under the Act.

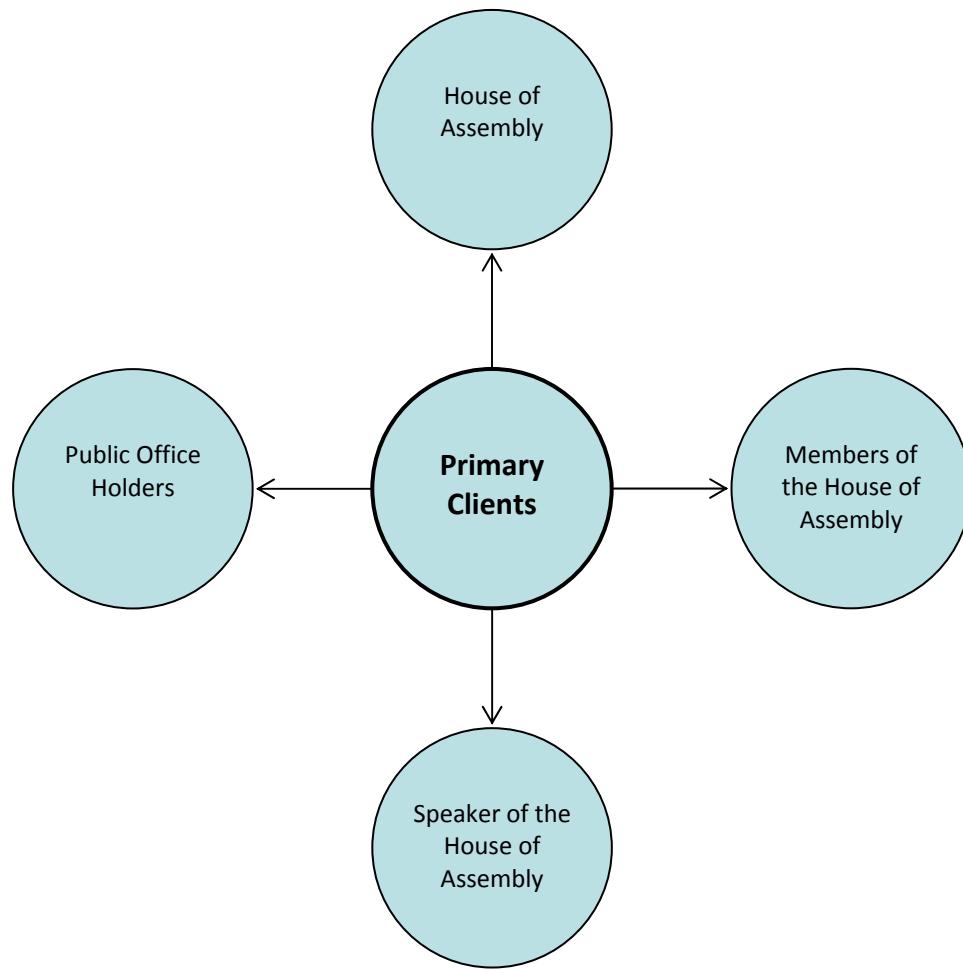
Annual Reporting

The Commissioner reports annually upon the affairs of his/her office to the Speaker who presents the report to the House of Assembly.



Primary Clients

The Commissioner for Legislative Standards has four primary clients and they are as follows.



Vision

The office of the Commissioner for Legislative Standards' vision is to maintain an environment where the highest ethical standards are in place for the House of Assembly.



Activity

Compliance with Legislation

The Commissioner for Legislative Standards is assigned responsibility for investigating and conducting inquiries (if necessary) to determine whether a member has failed to fulfill any obligation under the Code of Conduct. The Commissioner is also responsible for reporting to the House with recommendations as to appropriate sanctions similar to the ones that are available for breached Conflict of Interest duties in Part II of the *House of Assembly Act*. Therefore, the primary issue for the Commissioner for Legislative Standards is ‘Ensuring Compliance with Legislation’.

The objective, measure and indicators below will be reported on each year in the planning cycle.

Annual Objective: By March 2015, the Commissioner for Legislative Standards will have facilitated member compliance with legislative requirements regarding annual disclosure statements.

Measure: Facilitated member compliance with legislative requirements regarding annual disclosure statements.

Indicators:

- Provided support to members, as necessary
- Reviewed annual disclosure statements
- Provided advice to members, as necessary
- Responded to inquiries and/or complaints, as necessary

