



HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

DIRECTIVE

2023-003

Effective Date: June 19, 2023	Commission Minute: CM 2023-031
Subject: Amendment to Advertising and Publications Policy for Members with respect to Christmas greetings.	Reference: HOAMC Meeting, June 14, 2023 Agenda Item 7
Issued To: Members of the House of Assembly; Comptroller General; Directors of Government Accounting, Professional Services and Internal Audit, Financial Systems Control and Corporate Services; Office of the Auditor General; Contacts for Government caucus office, Official Opposition caucus office and Third Party caucus office; Deputy Clerk, Executive Council; Deputy Chief of Staff, Office of the Premier.	Contact: Wanda Lee Mercer 709-729-2923 wandaleemercer@gov.nb.ca

BACKGROUND

At its November 8, 2017 meeting, further to recommendations of the 2016 Members' Compensation Review Committee and an Ad Hoc Committee appointed by the Management Commission, the Commission approved amendments to the Advertising and Publications Policy for Members of the House of Assembly prohibiting seasonal greetings (including Christmas) in advertising, but allowing seasonal greetings in Member-created publications (e.g., newsletters, postcards and other householders) (**CM 2017-066 refers**).

The provisions respecting Christmas greetings has caused confusion in that it allows reimbursement of Christmas and seasonal greetings in Member-created publications, such as householders, but prohibits reimbursement of expenses from the same funding allocation for Christmas greetings in advertising.

The Commission considered this matter at its June 14, 2023 meeting and issued the following directive.

DIRECTIVE

The Commission directed the following respecting Christmas greetings:

That Section 6.0 of the Advertising and Publications Policy for Members of the House of Assembly be amended to remove the restriction for messages of greeting to allow Christmas greetings in MHA advertising.



Sandra Barnes
Clerk of the House of Assembly



House of Assembly

**Advertising & Publications Policy
For Members of the House of Assembly**

June 2023

Table of Contents

1.0 Approval

2.0 Accountability

3.0 Purpose

4.0 Principles

5.0 Content

5.1 Allowable

5.2 Non-Allowable

6.0 Advertising

6.1 Print Media

6.2 Radio

6.3 Television

6.4 Web-based

6.5 Telephone-based

7.0 Publications/Householders Developed by Members

8.0 Approval & Payment Process

9.0 Appeal Process

1.0 Approval

Under the authority of subparagraph 20(6)(b)(ii) of the *House of Assembly Accountability, Integrity and Administration Act* (the Act), the House of Assembly Management Commission establishes this policy respecting advertising and publications for Members of the House of Assembly.

2.0 Accountability

Members are responsible for compliance with the requirements for claims, payments and reimbursement of expenses under the *House of Assembly Accountability, Integrity and Administration Act*, the *Members' Resources and Allowances Rules* (the Rules), and directives/policies of the Management Commission.

Expenses for advertising and publications that **do not comply** with the provisions of this policy **cannot be reimbursed** by the House of Assembly.

3.0 Purpose

The purpose of this policy is to establish guidelines to ensure that all expenses for advertising and publications paid out of public funds are in accordance with Section 24 of the *Members' Resources and Allowances Rules*, and are in keeping with the intent and principles of the Rules, the Act and directives of the Commission.

Sections 1.0 to 5.0, Section 8.0 and Section 9.0 of this Policy apply to **both** advertising and Member-created publications.

Section 6.0 applies to **advertising only**.

Section 7.0 applies to **Member-created publications/householders only**.

4.0 Principles

The following principles must be adhered to for all expenses related to advertising and publications. The Member must ensure that:

- Expenses are incurred in the conduct of constituency business;
- Contact information is included to assist constituents;
- Costs are reasonable in relation to the type of advertising/publication;
- Costs do not represent a donation to an organization/group*.

** If a donation is referenced in a request to advertise from a community/group organization, it is allowable provided the advertisement complies with all provisions of the policy; the word "donation" is not referenced in the ad; and something tangible (the advertisement) is received in exchange for the associated costs.*

Costs related to advertising and publications **are not permitted** during the **Election Writ period**.

5.0 Content

The following section provides criteria on allowable and non-allowable content for advertising and publications. **Costs** related to advertising and publications that contain any **non-allowable** content **will not** be reimbursed by the House of Assembly.

5.1 Allowable

- Name of Member
- Photo of Member
- Name of Electoral District
- Email address of Member
- Telephone number of Member/Constituency Office
- Address of Member/Constituency Office
- Location of Constituency Office
- Constituency Office Hours
- Name of Constituency Assistant
- Contact Information for Constituency Assistant (phone number and email address)
- Fax Number for Constituency Office
- NL Coat of Arms
- Official symbols advising of social media presence (i.e. Facebook, Twitter, Instagram, Snapchat, etc.)
- Social media handles that do not identify a political party are permitted

5.2 Non-Allowable

- Name or logo of a political party;
- Statements of a partisan nature;
- Statements which advocate a particular position, or attempt to influence public opinion on a matter before the House of Assembly;
- Thank you to the constituents for voting for, or electing, the Member
- Statements to solicit funds;
- Content that disparages any political position, or the political position of an individual;
- Content related to departmental business/matters (if the Member is a Minister);
- Advertising on articles of clothing;
- Other items as deemed non-allowable by the Management Commission;
- Social media handles/links to social media pages which identify political party affiliations.

6.0 Advertising

This section applies to advertising purchased by the Member from a third-party medium.

The primary purpose of advertising by a Member is to provide constituents with contact information and constituency office hours/location. Advertising may also recognize weeks, days and events at the national level (e.g. Canada Day, Remembrance Day, Labour Day), provincial level (Volunteer Week, Injured Workers' Week, other days/weeks formally recognized in the province) and constituency level (community days/weeks/events, Come Home Years), provided it is done within the parameters for advertising as outlined in this section.

Messages of greeting (Christmas and/or other holidays) are also permitted.

The following is not permitted:

- Advertising of messages of **welcome and congratulations**, unless the purpose of the message is recognizing a **week/day/event at the national/provincial/constituency level**.
- Advertising that contains any of the **non-allowable content** outlined in **section 5.2** of this policy.

6.1 Print Media

Print media includes newspapers, magazines, event programs/calendars, signs/banners and other third-party publications.

The following criteria must be followed when advertising in print media:

- Be in business card **format** as per the **attached template**;
- Be in black and white (unless the medium is predominantly color).

If advertising in print media with a **message of welcome/congratulations** related to **week/day/event at the national/provincial/constituency level**, the advertisement must still **comply with the business card format** as per the attached template.

6.2 Radio

The following criteria must be followed when advertising on radio:

- Aired on stations that broadcast in the Member's District;
- Contain a message:
 - recognizing a week/day/event at the national, provincial or constituency level; or
 - which includes a message of welcome or congratulations related to a week/day/event at the national, provincial or constituency level;
- Include contact information.

6.3 Television

The following criteria must be followed when advertising on television:

- May be still image* or include a video recording;
- Must include the Member's contact information;
- Broadcast on stations in the Member's District.

If using still image television advertising, the ad must be in **business card format** as per the **attached template**, and may include a photo of the Member.

6.4 Web-based Advertising

The following criteria must be followed when using web-based advertising:

- May be still image* or include a video recording;
- Must include the Member's contact information.

*If using still image web advertising, the ad must be in **business card format** as per the **attached template**, and may include a photo of the Member.

6.5 Telephone-based Advertising (Robocalls)

The following criteria must be followed when advertising via telephone:

- Distributed to residents of the constituency only;
- Contain a message recognizing a week/day/event at the national, provincial or constituency level; or a message of welcome or congratulations related to a week/day/event at the national, provincial or constituency level;
- Include contact information.

7.0 Publications/Householders Developed by Members

This section applies to publications (such as newsletters, posters, door hangers, post cards, other householders) that are developed/created by the Member for distribution to constituents.

The primary purpose of these publications is to provide constituents with contact information, constituency office hours/location, and other information that is relevant to the constituency including (but not limited to):

- Notice of meetings;
- Messages of welcome;
- Messages of greetings (Christmas and/or other holidays);
- Messages of congratulations (Recognizing an individual, or group of individuals, on a significant achievement or award);
- Recognition of special weeks/days/events at the national/provincial/constituency-level.
- Information on the work the MHA has been doing on behalf of the constituency (provided it complies with the principles in Section 4.0 and the content guidelines in Section 5.0).

Costs for publications containing any of the **non-allowable content** outlined in **section 5.2** of this policy **cannot be reimbursed**.

8.0 Approval & Payment Process

All advertising and publications **must be submitted for pre-approval** to the Corporate and Members' Services Division (CMS) to ensure it complies with the provisions of this policy prior to any costs being incurred. If the advertisement/publication is not submitted for pre-approval prior to costs being incurred by the Member, those costs cannot be reimbursed if the provisions of this policy are not met. If the advertisement/publication receives prior approval, but the final product differs from what was originally submitted, costs cannot be reimbursed if the provisions of this policy are not met.

Members **must submit a requisition** for costs related to advertising/publications in advance to allow CMS to make payments on the Member's behalf.

CMS is responsible for administering this policy, including established criteria for all advertising and publications for Members of the House of Assembly.

9.0 Appeal Process

Section 24 of the *House of Assembly Accountability, Integrity and Administration Act* outlines the process for rulings on allowance use. When an expense related to advertising or publications has been rejected for reimbursement or payment, a Member may choose to submit an appeal of the decision to the Speaker as the Chair of the House of Assembly Management Commission. Under the Act, the Speaker may make a ruling on the matter and distribute the ruling to the Commission for concurrence. Alternatively, the Speaker may choose to bring the matter to a regular meeting of the Commission for consideration.

The following outlines the process for a Member to follow when appealing an expense that has been rejected for payment:

- Member must submit a request in writing to the Speaker outlining details of the expense(s) that has been rejected and reason(s) for the rejection. The Member must demonstrate that the expenditures are in compliance with the Act, the Rules or a Directive of the Commission. Once the request is received by the Speaker, he/she may request further information on the expenditure(s) in question if necessary.
- Once the matter has been reviewed by the Speaker, the Member will be notified in writing as to whether a ruling will be made by the Speaker, or brought to a meeting of the Management Commission for consideration.