

To: Members of the House of Assembly  
From: Clerk of the House of Assembly  
Date: March 26, 2009  
Subject: Rule Amendments – Constituency Office Leasing

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At the March 18 meeting, the Commission approved amendments to the *Members' Resources and Allowances Rules* such that the provisions of the Public Tender Act would apply to the leasing of Members' constituency offices. **CM 2009 – 011 refers.**

As these rule amendments are not changing the levels of reimbursement, the amending process of subsection 15(5) of the *House of Assembly Accountability, Integrity and Administration Act* does not apply. As required under section 64 of the Act, these rule amendments were approved at a Management Commission meeting and will be published in the NL Gazette.

This memo serves to address the requirement of paragraph 15(5)(b) regarding appropriate notice to Members.

The following draft amendments to the *Members' Resources and Allowances Rules* were tabled and approved at the March 18, 2009 meeting of the House of Assembly Management Commission.

The text of all amendments is subject to final drafting of the subordinate legislation by the Office of Legislative Counsel.

Paragraph 20(8)(c) is repealed and the following is substituted:

- (c) where accommodation referred to in paragraph (b) cannot be obtained, the member shall decide in which community his or her office will be located and the member shall obtain in that community commercial office accommodation in accordance with the tender processes for leasing commercial space under the Public Tender Act.

Subsection 20(9) is repealed and the following is substituted:

- (9) A tender for accommodation under paragraph (8)(c) shall stipulate that the lease shall be terminable at or before the expected date of the next general election.
- (9.1) Proposal documentation submitted by a landlord responding to a tender made under paragraph (8)(c) shall include the total monthly cost, including utilities, taxes, insurance, security, janitorial services, signage and snow-clearing.

Subsection 20(10) is repealed and the following is substituted:

- (10) A lease contract for office accommodation acquired under this section shall be prepared between "Her Majesty the Queen in Right of the Province of Newfoundland and Labrador, represented here by the Honourable the Speaker of the House of Assembly" and the owner of the office space and the cost of that preparation shall, unless stipulated otherwise by the speaker in exceptional cases, be paid directly by the House of Assembly in accordance with the approved office lease.

The draft amendments will be posted on the House of Assembly website. The rule amendments will become effective on the date they are Gazetted. The Act does not provide for the retroactive application of amendments to rules.