



## HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

### RULE AMENDMENT – CONSTITUENCY OFFICE LEASING

<b>Effective Date:</b> May 1, 2009	<b>Commission Minute:</b> CM 2009 – 011
<b>Subject:</b> Constituency Office Leasing – Application of Public Tender Act	<b>Reference:</b> HOAMC Meeting, January 27, 2009 Agenda Item No. 9 HOAMC Meeting, March 18, 2009 Agenda Item No. 6 NL Gazette, May 1, 2009
<b>Issued To:</b> 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.	<b>Contact:</b> Marlene Lambe Chief Financial Officer 729 – 2923

#### **BACKGROUND**

At its January 27, 2009 meeting, the Commission directed the Clerk to draft amendments to Section 20 of 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 -006 refers.**

At its March 18, 2009 meeting, the Commission, pursuant to section 64 of the *House of Assembly Accountability, Integrity and Administration Act*, gave approval to the following amendment to the *Members' Resources and Allowances Rules*:

Paragraph 20(8)(c) is repealed and the following is substituted: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Subsection 20(9) is repealed and the following is substituted: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Subsection 20(10) is repealed and the following is substituted: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.

All amendments approved by the HOAMC are subject to wording change, if required, during drafting by the Office of Legislative Counsel. The substance of the amendment is retained.

Paragraph 20(8)(c) is now changed and the word “commercial” where it last occurs is removed. This paragraph now reads:

- (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 space under the *Public Tender Act*.

The rule amendment became effective on May 1, 2009, the date of publication in the NL Gazette.

William MacKenzie  
Clerk of the House of Assembly