

Office of the Chief Electoral Officer and The Commissioner for Legislative Standards

Business Plan 2011-2014



Message from the Chief Electoral Officer & Commissioner for Legislative Standards

It is with pleasure that I present the 2011-2014 Business 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.

This 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' working 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 2 entities under the *Transparency and Accountability Act*. Therefore, a Business Plan that sets a clear direction for the outputs 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

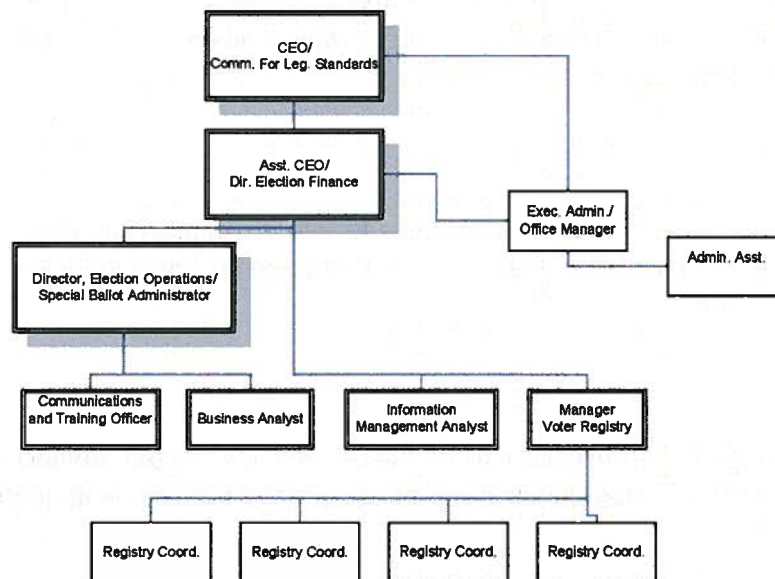
Introduction

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 cooperatively 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 education 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.



Environment

A Business 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 advance poll day and regular polling day, allowing residents and patients to vote in a convenient manner and without having to leave the premises.

In addition, the Special Ballot voting option is available to those electors who feel they may be out of the province or away from their homes on advance poll or regular polling day. A typical elector who might select this option would be someone engaged in work outside the province but who maintains a permanent residence within the province.

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.

Role and 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 resident of Newfoundland and Labrador who is over the age of 18 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 that our staff is well trained and versed in electoral processes and procedures so that 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 Voter 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; 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 communicating up-to-date information pertaining to our business operation.



Values

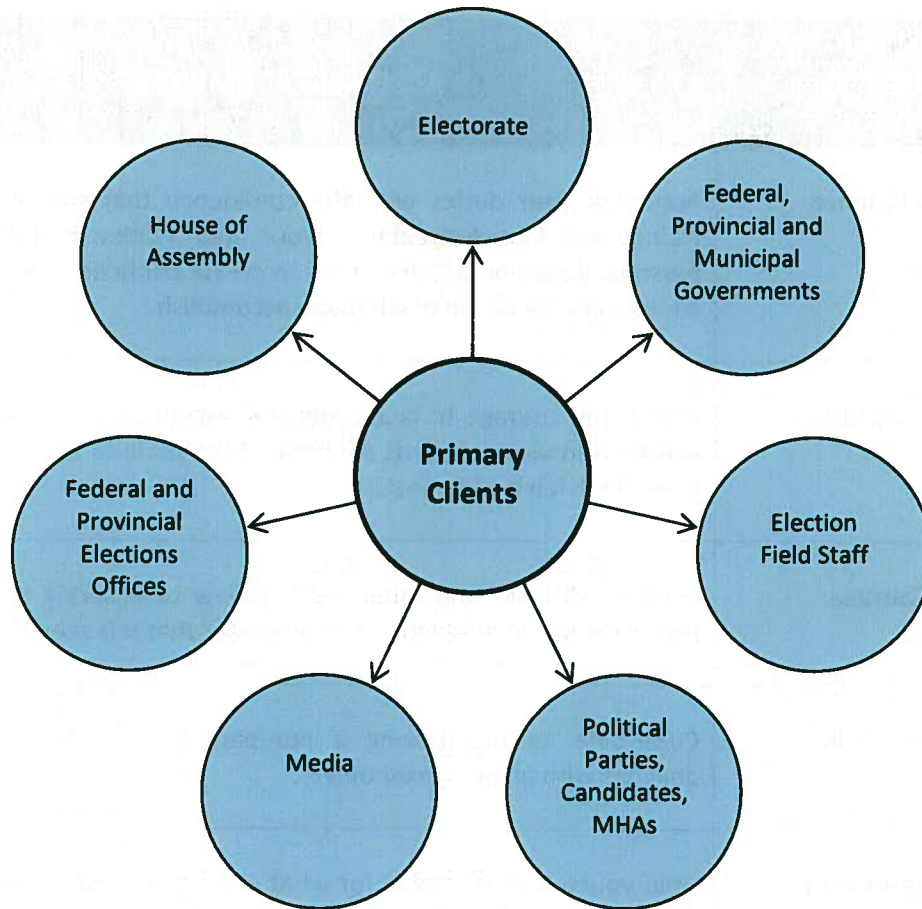
The importance of having values in an organization is often overlooked. OCEO recognizes the importance of having formal values in place and in communicating them to staff.

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, except 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 put 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 which will assist OCEO in evaluating progress, as well as allowing the public to evaluate compliance with the *Transparency and Accountability Act*.

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



Issues

Issue 1:

Preparedness and Maintenance

The OCEO is expected to maintain a constant state of readiness to be prepared at all times for elections and potential by-elections. Therefore, 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 voters list which must be kept up-to-date to ensure an accurate elector database. The Voter Registry division at OCEO is responsible for the maintenance of the voters list, along with electoral boundary work.

Goal 1: By March 31, 2014, the Office of the Chief Electoral Officer will have enhanced its ability to maintain the Voter Registry.

Measure: Enhanced ability to maintain the Voter Registry.

Indicators:

- Explored options for future developments and improvements
- Improved updating procedures for the voters list
- Improved availability of voter information

Objectives:

1. By March 31, 2012, the Office of the Chief Electoral Officer will have incorporated new voter data into the Voter Registry and explored options for a comprehensive electoral management computer system.

Measure: Incorporated new data and explored options for a comprehensive electoral management computer system.

Indicators:

- New data incorporated
 - Options explored for a comprehensive electoral management computer system
2. By March 31, 2013, the Office of the Chief Electoral Officer will have continued to incorporate multi-source data and explored additional sources.
 3. By March 31, 2014, the Office of the Chief Electoral Officer will have improved availability of voter information in support of the 2015 Provincial General Election.



Section B: Commissioner for Legislative Standards

Introduction

The Commissioner for Legislative Standards is an officer of the House of Assembly appointed by the House (section 34 of the *House of Assembly Act*). 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 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 729-0712 and the fax number is 729-0679.

Role and 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 Members of the House of Assembly (MHAs) and former 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 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 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.



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 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.

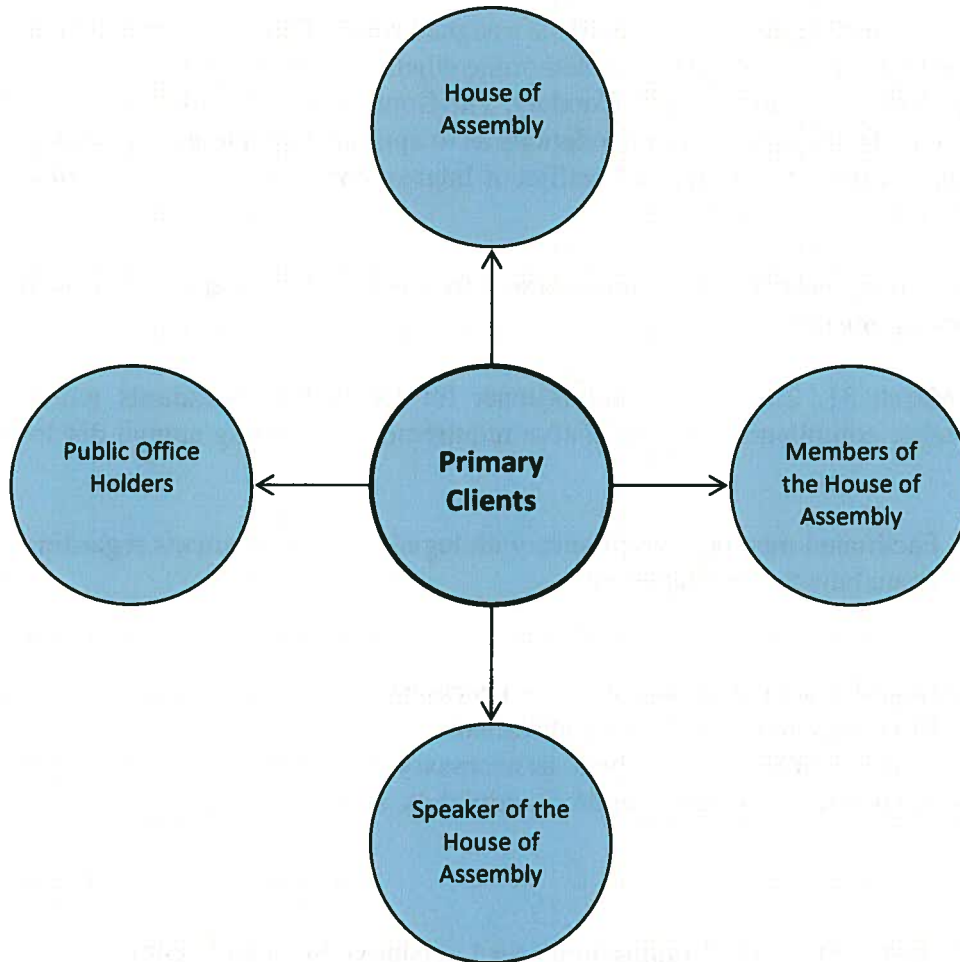
Annual Reporting

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.



Issues

Issue 1:

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'.

Goal 1: By March 31, 2014, 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

Objectives:

1. By March 31, 2012, the Commissioner for Legislative Standards will have supported members elected in the 2011 Provincial General Election to ensure that all necessary information has been collected for annual disclosure statements

Measure: Supported members elected in the 2011 Provincial General Election to ensure that all necessary information has been collected for annual disclosure statements.

Indicators:

- Ensure all new members receive all necessary information regarding annual disclosure requirements.



- Review all member disclosure statements.
 - Identify any potential Conflicts of Interest and work with members to resolve issues, as necessary.
2. By March 31, 2013, the Commissioner for Legislative Standards will have continued to support members in the filing of their annual disclosure statements.
 3. By March 31, 2014, the Commissioner for Legislative Standards will have continued to support members in the filing of their annual disclosure statements.



