



NORTHWEST TERRITORIES  
LEGISLATIVE ASSEMBLY  
TERRITOIRES DU NORD-OUEST  
ASSEMBLÉE LÉGISLATIVE

20<sup>TH</sup> LEGISLATIVE ASSEMBLY

# MEMBERS' HANDBOOK

JULY 2024

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English

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French

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Kĩspin ki nitawih̄tĩn ē nĩh̄yawih̄k ōma ācimōwin, tipwāsĩnān.

Cree

---

Tłichq yatı k'èè. Dı wegodi newq dè, gots'ō gonede.

Tłichq

---

ʔerih̄t'ıs̄ Dēne Sųĩné yatı t'a huts'elkēr xa beyáyatı theʔą ʔat'e, nuwe ts'ēn yóftı.

Chipewyan

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Edı gondı dehgáh got'ıę zhatıé k'èé edat'éh enahddhę nıde naxets'é edahıf.

South Slavey

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K'áhshó got'ıne xədə k'é hederı ʔedih̄t'é yerınwę nıd é dúle.

North Slavey

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Jii gwandak izhii ginjik vat'atr'ıjähch'uu zhit yınohthan jı', diits'at ginohkhii.

Gwich'in

---

Uvanittuaq ilitchurisukupku Inuvialuktun, ququaqluta.

Inuvialuktun

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Ċ'đċ ħħ'ḄΔĊ ĀĀLJĀĀĊ Δ.đċĤĊĊ'ḄLċĤḄ, ĐĊĊĤ.đĊ Đ'ḄĊĊ'ḄĊĤĊ.

Inuktitut

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Hapkua titiqqat pijumagupkit Inuinnaqtun, uvaptinnut hivajarlutit.

Inuinnaqtun

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Public Affairs and Communications: 867-767-9130 ext. 12017

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# NORTHWEST TERRITORIES LEGISLATIVE ASSEMBLY

## MEMBERS' HANDBOOK

The Members' Handbook was adopted by the Board of Management (Board) as the official record of Board policy. It is available to all Members of the Legislative Assembly to help you perform your duties and fulfill your responsibilities as elected representatives. By working within the rules set out in the Handbook, you will know whether you are acting with respect for the Legislative Assembly, your constituents, and your fellow Members.

The Handbook references the Board Policy, the Rules of the Legislative Assembly, alongside statutory and regulatory requirements which are all tools that help to govern a Member's duties. As the Handbook, or any of these other tools, are updated Members will be notified.

JULY 2024

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20<sup>TH</sup> LEGISLATIVE ASSEMBLY

# MEMBERS' HANDBOOK



# PRIVILEGES AS A MEMBER

## 1. PRIVILEGES AND IMMUNITIES

Parliamentary privilege is part of Canadian law. Its application to you and the Northwest Territories Legislative Assembly has been confirmed by court decisions. It includes all the unique rights and powers held collectively by the Assembly and individually by its Members. Without these privileges, Members cannot perform their duties. Privilege also protects people taking part in proceedings of the Assembly, such as appearing as a witness before a Committee.

Parliamentary privilege does not place Members above the law. These privileges exist because they are necessary for Members and the Assembly to function. Each Member has the following privileges:

- freedom of speech;
- freedom from arrest in civil actions while the Assembly or its Committees are sitting;
- exemption from jury duty;
- exemption from attendance as a witness at certain proceedings while engaged in parliamentary work; and
- freedom from obstruction, interference, intimidation, and molestation.

The Assembly as a whole, has the following privileges:

- the power to discipline its Members, including the right to suspend or expel;
- the right to control or limit access to the parliamentary precinct (Assembly and surrounding grounds)
- the right to punish persons guilty of breaches of privilege or contempt;

- the right to regulate its own affairs free from interference;
- the authority to maintain the attendance and service of its Members;
- the right to institute inquiries and call witnesses and to demand papers;
- the right to administer oaths to witnesses;
- the right to set its own code of procedure; and
- the right to publish papers containing defamatory material.

## RESPONSIBILITIES AS A MEMBER

### 2. STATUTORY OATH/ AFFIRMATION OF ALLEGIANCE

All Members of the Legislative Assembly must swear or affirm an oath of allegiance before taking their seat in the Assembly. The Oath is established by federal law, the *Northwest Territories Act*.

The Statutory Oath/Affirmation of Allegiance is available in the Official Languages of the Northwest Territories. Members can choose which language they want to sign the oath in.

### 3. STATUTORY OATH/ AFFIRMATION OF OFFICE

All Members of the Legislative Assembly must swear or affirm an oath of office before taking their seat in the Assembly. The Oath is established by the *Legislative Assembly and Executive Council Act*.

The Statutory Oath/Affirmation of Office is available in the Official Languages of the Northwest Territories. Members can choose which language they want to sign the oath in.

#### **4. STATUTORY OATH/AFFIRMATION OF LOYALTY**

All Members of the Legislative Assembly must swear or affirm an oath of loyalty before taking their seat in the Assembly. The Oath is established by the *Legislative Assembly and Executive Council Act*.

The Statutory Oath/Affirmation of Loyalty is available in the Official Languages of the Northwest Territories. Members can choose which language they want to sign the oath in.

#### **5. MEMBER'S CODE OF CONDUCT**

A guide to the rules relating to the conduct of Members is provided to all Members of the Legislative Assembly.

The Code of Conduct for Members of the Legislative Assembly was adopted by the 18<sup>th</sup> Assembly to guide Members as they perform their duties. All Members of the Legislative Assembly are bound by the Code. Members must conduct themselves in a manner that instills trust and confidence of the general public. Anyone can make a complaint about a Member's conduct to the Integrity Commissioner.

A guide to the rules relating to the conduct of Members is provided to all Members of the Legislative Assembly.

#### **6. CONFLICTS OF INTEREST**

The *Legislative Assembly and Executive Council Act* governs conflict of interest matters for Members. It defines what is a conflict of interest, what Members are required to do, and what Members need to disclose. It also sets out the complaint process regarding Members alleged to be in a position of conflict and the role of the Integrity Commissioner.

Members must meet annually with the Integrity Commissioner, who provides advice to Members on how to arrange financial and business affairs to comply with the Act. If a Member follows the advice

and recommendations of the Integrity Commissioner, no complaint can be taken against the Member under the Act. A guide to conflict of interest procedures and processes is provided to all Members.

#### **7. FINANCIAL ACCOUNTABILITY OF MEMBERS**

The *Legislative Assembly and Executive Council Act*, the *Indemnities, Allowances and Expense Regulations* and this Handbook require that certain information regarding Members' activities be made public. The Speaker must table in the House, and make public, reports detailing Members' pay, allowances and expenses, including Members' reimbursements under the Capital Accommodation Allowance and Constituency Work Expense Allowance. The Speaker also must table a report during each sitting of the Assembly detailing Members' attendance at meetings of the Assembly and its Committees for the full period prior to that sitting.

Any member of the public may, at any time, make a request to the Clerk of the Legislative Assembly to inspect and obtain a copy of any claim for reimbursement made by a Member in the last five years. Unless disclosure of the information contained on the claim poses a threat to the security of the Member or another person, the information will be provided.

## **LEGISLATIVE ASSEMBLY STRUCTURE & CONSENSUS GOVERNMENT**

#### **8. UNDERSTANDING CONSENSUS GOVERNMENT**

Consensus is the form of government in the Northwest Territories. Unlike traditional party-based systems, where one party holds most of the power, consensus government requires cooperation and collaboration among all elected representatives.

In consensus government, elected Members work together to make major decisions. Members work to reach agreements that everyone (or the majority) can support. This approach values inclusivity and tries to make sure if not everyone agrees, everyone has been heard.

The Legislative, Executive, and Judicial branches of government work together to ensure that laws are made, executed, and interpreted in a fair and just manner. This approach reflects the values of the NWT, where all voices are heard and considered in the decision-making process.

## **9. THE LEGISLATIVE BRANCH**

The mandate and jurisdiction of the Legislative Assembly is found in the *Northwest Territories Act (Canada)*, the *Legislative Assembly and Executive Council Act*, various parliamentary and NWT conventions, and the Rules of the Legislative Assembly. The Legislative Assembly is all 19 MLAs. It is the ultimate decision and law-making authority in the public government sphere in the NWT.

The Legislative Assembly is primarily a law-making body. It makes laws within its jurisdiction, which includes the spending of public money. While individual Ministers typically propose legislation in the House, the Legislative Assembly as a whole must accept, reject or revise such legislative proposals. Individual Members can also propose legislation.

Much of the work of the Legislative Assembly is completed by Standing and Special Committees. Committees are established pursuant to the Rules of the Legislative Assembly. They spread the workload between Members and allow Members to gain specialized knowledge in certain program areas.

## **10. CAUCUS**

Caucus operates by convention and is made up of all 19 Members. Caucus brings the interests of all Members together. It is the forum in which Members build consensus regardless of other roles they may have. There is no formal mandate for Caucus. Its responsibilities and purpose have evolved over time to meet the needs of all Members and to support the consensus government structure.

### **10.1 CAUCUS CONVENTIONS**

The Chairperson of Caucus is a Regular Member elected by all Caucus members. Caucus proceedings and discussions shall not be disclosed except with the agreement of Caucus. There are no formal records of Caucus discussions and attendance is not recorded.

### **10.2 ROLE OF CAUCUS**

Caucus is a forum for discussing issues of interest to all Members in cases where Cabinet has not established a government position, or it is inappropriate for Cabinet to establish a government position in the absence of consensus from all Members.

Examples of items discussed in Caucus include the broad vision and goals for the Government prior to public debate, recommendations to the Assembly on key appointments, disciplinary or personal issues regarding Members or the timing of legislative sessions.

Where Cabinet has established a position or proposal on a matter, these are reviewed by the appropriate Committee of the Assembly or by the House in formal sitting.

Caucus does not have formal decision-making authority. However, once a consensus is reached, the appropriate branch will take action to implement the decision. For example, Cabinet could introduce legislation or the Assembly could consider a motion to initiate action by others.

## 11. EXECUTIVE BRANCH

The Executive Branch of Government, composed of the Executive Council or Cabinet, and the employees of the public service. The mandate and responsibilities of the Cabinet are governed by the *Legislative Assembly and Executive Council Act*, parliamentary and NWT conventions, and occasionally in letters of instruction from the Federal Government. In general, Cabinet is responsible for the overall management and direction of the Executive Branch of Government, including matters of policy.

The Executive Branch of Government is the term used to refer to the Executive Council and the public service of the Northwest Territories. Within a parliamentary democracy, it is one of the three distinct and independent branches of government (the other two being the Legislative Branch and the Judiciary).

The Executive Branch is responsible for delivering programs and services, for enforcing the laws made by the Assembly and for implementing the activities to achieve the vision all MLAs have for the Northwest Territories. The Executive Branch, through the Executive Council and individual Ministers, is appointed on the recommendation of the Assembly. They are also accountable to the Assembly.

The Executive Council is chaired by the Premier.

### 11.1 PREMIER

The current convention is that all Members choose the Premier. The Premier assigns portfolios to Members of the Executive Council. These assignments include responsibility for departments, corporations, and agencies of the Government of Northwest Territories, and for offices and committees of the Executive Council. This practice is established by convention. Any Assembly could choose to vary it.

## 12. JUDICIAL BRANCH

The third branch of government is the Judicial Branch. It is made up of the judges of the Northwest Territories Court of Appeal, the Supreme Court of the Northwest Territories, and the Territorial Court. It is independent from the legislative and executive branches of government.

The role of the judicial branch is to interpret and apply the laws of Canada and the Northwest Territories. The judges on the Territorial Court are appointed by the Commissioner, on the advice of the Executive Council. They also preside over the prosecution of criminal, federal and territorial offences, and family disputes. The judges for the other courts are appointed on the recommendation of the federal government.

## PRESIDING OFFICERS OF THE LEGISLATIVE ASSEMBLY

### 13. SPEAKER

The Speaker of the Legislative Assembly is the representative of the House in its powers, proceedings, and dignity.

The Speaker:

- acts as the spokesperson for the Legislative Assembly in all its dealings;
- presides over sittings of the House and maintains order in the Chamber; and
- has responsibility for the administration of the House and the Office of the Legislative Assembly.

The Speaker must have the confidence and support of all Members.

### 13.1 ELECTION OF THE SPEAKER

At the beginning of an Assembly before any business is conducted, the House must elect a Speaker. The election is presided over by the Clerk. If the Speaker's office is vacant

for any reason a new Speaker is elected as soon as possible. The Deputy Speaker assumes the Speaker's responsibilities until the Assembly selects a new one.

### **13.2 THE SPEAKER AS PRESIDING OFFICER**

As Presiding Officer, the Speaker's main duty is to maintain order during debate. They do this by applying the rules, practices, and traditions of the House.

The Speaker must always be, and be seen as, impartial. For this reason, the Speaker does not participate in debate. The Speaker only votes if a tie should occur. Even when casting a deciding vote, the Speaker normally votes to allow further debate or to ensure no changes are made without the support of the majority of Members.

### **13.3 THE SPEAKER AS DEPARTMENT HEAD**

The Speaker is Chair of the Board of Management. The Speaker and the Board have responsibility for the management and administration of the Legislative Assembly.

## **14. DEPUTY SPEAKER AND CHAIR OF COMMITTEE OF THE WHOLE**

Early in the life of a new Legislative Assembly, a Deputy Speaker is selected by the House. The Deputy Speaker is appointed by motion in the House. The Deputy Speaker assumes the duties of the Speaker if the Speaker is absent. The Deputy Speaker also serves as Chair of Committee of the Whole.

### **14.1 DEPUTY SPEAKER'S DUTIES AS CHAIR OF COMMITTEE OF THE WHOLE**

When Committee of the Whole begins, the Speaker leaves the Chamber. The Chair of Committee of the Whole sits at the Clerk's Table and presides over the proceedings. The Chair maintains order and decorum, ensuring that business is conducted in accordance with the Rules and established practices of the Assembly.

Some Rules and practices are less formal during Committee of the Whole. For example, Members may move about the Chamber more freely; Members do not have to stand when speaking; and no seconder for a motion is required.

Near the end of proceedings, a Member will move a motion that the Chair "rise and report progress". If the motion is carried the Chair will return to their regular seat and wait for the Speaker to return. The Chair reports motions carried, progress on the consideration of Bills and all other business transacted in Committee of the Whole to the Speaker and Assembly and seeks agreement to the report.

## **15. DEPUTY CHAIRS OF COMMITTEE OF THE WHOLE**

The Assembly appoints two Regular Members to act as Deputy Chairs of Committee of the Whole. A Deputy Chair shall take the Chair when called upon by the Chair. The Deputy Chair performs the same function in Committee of the Whole as the Chair normally does.

## **BOARD OF MANAGEMENT**

### **16. BOARD STRUCTURE**

The Board is established under the *Legislative Assembly and Executive Council Act*. The existence of the Board reflects the right and privilege of the House to govern its internal affairs.

The Board is composed of:

- the Speaker (who acts as Chair);
- one Minister on the recommendation of the Premier;
- the Minister of Finance, and
- two Regular Members.

The Clerk acts as Secretary to the Board. Initial appointments to the Board, as well as alternate appointments, are made by resolution of the Assembly at its first Session.

The term of office for Board members and alternates is the duration of the Legislative Assembly or sooner if the Assembly revokes the appointment. Should a vacancy on the Board occur, the Board may appoint an alternate or interim member until such time as the Assembly fills the vacancy.

If the Speaker is unavailable or unable to Chair a meeting, the members of the Board may choose an acting Chair from among their members until the Speaker is able to resume their duties.

A Guide to the Board of Management which sets out responsibilities and authorities, and how the Board operates is available to Members and the public.

## **17. CLERK OF THE LEGISLATIVE ASSEMBLY**

The Clerk is appointed by the Commissioner of the Northwest Territories on the recommendation of the Board and by motion of the Legislative Assembly. The Clerk is the chief permanent officer of the Assembly and has responsibilities for two areas; parliamentary procedure and management.

### **17.1 PROCEDURAL DUTIES**

The Clerk is the chief advisor to the Speaker, Deputy Speaker and all Members on matters concerning the privileges, rules, practices and procedures of the Assembly.

### **17.2 MANAGEMENT DUTIES**

The Clerk, at the direction of the Board, is responsible for the management of the Office of the Legislative Assembly. The Speaker and the Clerk have the power, duties and functions of a Minister and Deputy Minister with respect to the management and administration of the Legislative Assembly as described in the *Public Service Act* and the *Financial Administration Act*.

## **18. LAW CLERK**

The Law Clerk and/or the Deputy Law Clerk are contracted positions with the Assembly. The Law Clerk is appointed by the Commissioner on the recommendation of the Assembly.

The duties of the Law Clerk include the following:

- legal advisor to the Assembly, the Speaker, the Clerk and to Members individually on a confidential basis;
- advising Members on the interpretation of legislation or any other questions of a legal nature concerning their work in the Legislature;
- responsible for the content and form of all Bills and amendments before the House;
- assisting Members in drafting amendments to Public (government) Bills;
- reviewing all legislation under consideration, prior to certification;
- legal counsel to Standing and Special Committees as directed by the Clerk; and
- legal counsel to the Board and the MLA pension plans.

The relationship between the Law Clerk and a Member is that of solicitor-client, and solicitor-client confidentiality applies to any legal matter discussed with the Law Clerk.

## 19. SERGEANT-AT-ARMS

The Sergeant-at-Arms is a permanent officer of the Legislative Assembly. They are responsible for ceremonial aspects of the Legislative Assembly and for functions related to security and building maintenance. The Sergeant-at-Arms ensures the Assembly, its committees, and its Members can conduct their business without disturbance or interruption. The Sergeant-at-Arms controls access to the public galleries and other parts of the building, and manages the security services for the Legislative Precinct, its occupants, and the public.

The Sergeant-at-Arms carries the mace and walks at the head of the procession that escorts the Speaker and Clerks into and out of the Chamber each sitting day. The Sergeant-at-Arms is also the guardian of the mace and ensures it is properly placed when the Assembly sits.

## 20. STATUTORY OFFICERS

Statutory officers – also called independent officers – play an important part helping Members hold the government accountable. They help Members monitor and assess government programs, procedures, and performance. Statutory officers serve for fixed terms that vary according to the laws governing each position. These officers are appointed by, and report to, the Legislative Assembly.

## 21. OFFICE OF THE CHIEF ELECTORAL OFFICER

### 21.1 ELECTIONS AND PLEBISCITES ACT

The *Elections and Plebiscites Act* provides the framework for the conduct and administration of elections for Members of the Legislative Assembly. The Office of the Chief Electoral Officer (Elections NWT) is an independent office of the Legislative Assembly.

Elections NWT conducts and administers general elections, by-elections and plebiscites in the Northwest Territories. Its principal mandate is to educate, inform and empower all eligible electors and candidates in the Northwest Territories to exercise their democratic rights outlined in the *Canadian Charter of Rights and Freedoms*, so that they may participate fully in the election process.

### 21.2 DUTIES OF THE CHIEF ELECTORAL OFFICER

The Commissioner, on the recommendation of the Legislative Assembly, appoints the Chief Electoral Officer. The Chief Electoral Officer holds office for a term commencing on the day of their appointment and expiring 18 months following the next general election.

The Chief Electoral Officer is independent of Cabinet and the Legislative Assembly. Financial resources for the office are provided from the Legislative Assembly. The Chief Electoral Officer's duties are provided for within the Act. Their main duties are to:

- exercise general direction and supervision over the administrative conduct of an election and enforce on the part of all election officers fairness, impartiality and compliance with the Act;
- design a program for the dissemination to the electors of information pertaining to an election; and
- perform all other duties assigned by the Act.

The Chief Electoral Officer must submit a report to the Assembly within six months after a general election that outlines the conduct of the general election, and an annual report in all other years. These reports may include recommendations for amendments to the Act.

During non-election years, eligible electors can provide their information to the Elections NWT to update or correct existing information on the Register of Territorial Electors. This will ensure their names appear on the list of electors for the electoral district in which they reside. Personal information provided to Elections NWT is kept confidential and used only for election purposes.

The Chief Electoral Officer can enter into partnerships with government departments and territorial municipalities for the development and enhancement of the Register of Territorial Electors. The Chief Electoral Officer assists and supports the Northwest Territories Electoral Boundaries Commission.

## **22. OFFICE OF THE LANGUAGES COMMISSIONER**

### **22.1 ROLE OF THE LANGUAGES COMMISSIONER**

The Languages Commissioner's duty is to ensure that institutions of the Legislative Assembly and the Government respect the spirit, intent and provisions of the *Official Languages Act* and the provisions of any other Act or regulation relating to the status or use of official languages. In carrying out these duties, the Languages Commissioner can initiate investigations or may investigate matters after receiving a complaint from any person or group. The Languages Commissioner must hear all legitimate complaints where an institution of the government or of the Legislative Assembly is alleged to have failed to comply with its official language obligations.

The Languages Commissioner does not issue decisions or orders and cannot force a government institution to act, or cease to act, in a certain way. They are limited to reporting findings and making recommendations, although there is an onus on the government to respond to the recommendations. The Languages Commissioner can also

appear on behalf of any person or as a party in court proceedings relating to the *Official Languages Act*. Amendments to the *Official Languages Act* passed in October 2003, confined the role of the Languages Commissioner's Office to that of monitoring compliance to the *Official Languages Act*. Responsibility for reviewing the rights and status of the NWT's Official Languages and for reviewing the maintenance, promotion and preservation of aboriginal languages has been transferred to the Official Languages Board and the Aboriginal Languages Revitalization Board respectively.

The Languages Commissioner, along with the Government of Northwest Territories, provides information to the public on matters relating to official languages.

Each year, the Languages Commissioner must submit a report to the Legislative Assembly relating to the conduct of the office and the discharge of their duties during the preceding year. The report includes recommendations for amendments to the *Official Languages Act*. A Standing Committee of the Legislative Assembly is responsible for reviewing the annual reports and any other reports of the Languages Commissioner.

### **22.2 RESPONSIBILITIES OF THE LANGUAGES COMMISSIONER**

In October 2003, the Northwest Territories Legislative Assembly passed amendments to the *Official Languages Act* establishing English, French, Cree (Nēhiyawēwin), Chipewyan (Dēne Sų́łné Yatı́), Tlicho (Tłı́chų Yatı́), Gwich'in (Dinjii Zhu' Ginjik), North Slavey (Sahtú ot'ı́ nę Yatı́), South Slavey (Dene Zhatrié), Inuktitut (ᐃᓄᐃᓄᓄ), Inuinnaqtun and Inuvialuktun as official languages of the NWT.

This Act applies to institutions of the NWT, Legislative Assembly and of the Government of NWT (departments, agencies, boards, etc.). It does not apply to municipal councils, the Federal Government or private



businesses. The *Official Languages Act* also provides for the appointment of a Languages Commissioner.

The Languages Commissioner is appointed by the Commissioner, on the recommendation of the Legislative Assembly, for a four-year term. The Languages Commissioner holds an Ombud-like role and is independent of the government. The financial resources for the office are provided from the Legislative Assembly.

The independence of the office is demonstrated by the fact that the Languages Commissioner reports to the Legislative Assembly and not to a Minister.

## **23. OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER**

### **23.1 ROLE OF THE INFORMATION AND PRIVACY COMMISSIONER**

The Information and Privacy Commissioner provides independent oversight of government's activities under the *Access to Information and Protection of Privacy Act* and under the *Health Information Act*.

The *Access to Information and Protection of Privacy Act* establishes the right of the public to access information held by public bodies (government departments and boards, agencies, and corporations listed in regulations). This process for obtaining copies of government records is independent of any other existing process. The Act also creates exceptions to the right of access, including protections for individuals' personal information. It also governs the collection, use, and disclosure of personal information by public bodies.

Upon request, the Commissioner will review a public body's response to an access to information request. If the Commissioner disagrees with the response, the Commissioner will order the public body to amend the response accordingly. Unless appealed, the public body must comply with such an order.

In the instance of a privacy breach, the Commissioner may receive notice from a public body if the breach creates a material risk. If the Commissioner determines the privacy breach constitutes a real risk of significant harm the Commissioner may make recommendations to the public body to mitigate any harm and to prevent similar incidents in the future. Individuals may also request the Commissioner to review a breach of privacy.

The *Health Information Act* governs the collection, use, disclosure and disposal of personal health information held by health information custodians (hospitals, health clinics, pharmacists, etc.). The Information and Privacy Commissioner receives notice of privacy breaches and will assist, where appropriate, in resolving such incidents through informal resolution or through recommendations in a formal review. The role of the Commissioner is to assist health information custodians to mitigate any harm from a privacy breach and to prevent similar incidents in the future.

### **23.2 RESPONSIBILITIES OF THE INFORMATION AND PRIVACY COMMISSIONER**

The Information and Privacy Commissioner is appointed for a 5-year term by the Commissioner on the advice of the Legislative Assembly. The Office of the Information and Privacy Commissioner is funded through the Legislative Assembly and is independent of the government bureaucracy.

The Commissioner provides an annual report to the Assembly detailing the activities of the Office and providing an assessment of the effectiveness of the Act. The Commissioner may provide comment on legislative schemes or government programs in so far as they affect the ability to access information or the protection personal information by a government body.

The Commissioner plays a similar role under the *Health Information Act*. Under the HIA, individuals have the right to request a review by the Information and Privacy Commissioner if they believe their personal health information has been collected, used or disclosed without authorization.

MLAs, like their constituents, may use the process in the *Access to Information and Protection of Privacy Act* to obtain information anonymously about the activities of government departments.

## **24. OFFICE OF THE INTEGRITY COMMISSIONER**

### **24.1 ROLE OF THE INTEGRITY COMMISSIONER**

The Integrity Commissioner administers the conflict of interest provisions and Code of Conduct for MLAs contained in Part 3 of the *Legislative Assembly and Executive Council Act*.

The Integrity Commissioner is independent from the government. Financial resources are provided by the Legislative Assembly. The Integrity Commissioner is appointed by the Commissioner on the recommendation of the Assembly for a term of four years.

### **24.2 RESPONSIBILITIES OF THE INTEGRITY COMMISSIONER**

The Integrity Commissioner provides advice to Members on how to arrange their business and financial affairs to avoid conflicts of interest. Once a year, Members meet with the Integrity Commissioner to review the Member's confidential disclosure statements. The Integrity Commissioner then prepares a public version of the Member's disclosure statement identifying the Member's assets, liabilities, and sources of income (without amounts) which is made available on the web.

The public web page also contains decisions by the Commissioner to approve the provisions of a trust entered into by the Speaker or a Minister; authorize Members, former Members and corporations to accept contracts with the government that would otherwise be prohibited; and time extensions to Members in order to meet the requirements under the Act.

The Commissioner also receives complaints about an alleged conflict of interest and breaches of the Members' Code of Conduct. After investigating a complaint, the Commissioner may dismiss the complaint or direct an inquiry either before the Integrity Commissioner or a Sole Adjudicator.

## **25. OFFICE OF THE HUMAN RIGHTS COMMISSION**

### **25.1 ROLE OF THE HUMAN RIGHTS COMMISSION AND ADJUDICATION PANEL**

The *Human Rights Act* came into force on July 1, 2004. The Act recognizes that in the Northwest Territories every individual is free and equal in dignity and rights, without regard to their race, colour, ancestry, nationality, ethnic origin, place of origin, creed, religion, age, disability, sex, sexual orientation, gender identity, marital status, family status, family affiliation, political association or social condition and without regard to whether he or she has had a conviction for which a pardon has been granted. It also recognizes the vital importance of promoting respect for and observance of human rights in the Northwest Territories, including the rights and freedoms protected under the *Canadian Charter of Rights and Freedoms*, and under international human rights instruments. Amendments to the Act in 2019 provide that restorative principles are to be applied to human rights protections and processes. This includes in the early complaint process as well as in adjudication.

## **25.2 ROLE OF THE HUMAN RIGHTS COMMISSION**

The Commission, comprised of three to five Members, is appointed by the Commissioner on the recommendation of the Legislative Assembly.

The Commission has been established to promote understanding of the legislation, develop educational programs for the public, conduct research and monitor compliance with the Act. The Commission must also table an annual report detailing the complaints filed or initiated under the Act as well as the general activities of the Commission. Recent amendments to the Act provide the Commission with responsibility for dismissing or referring complaints to the Adjudication Panel on the recommendation of the Executive Director for complaints files after April 1, 2020.

The Commission is completely independent of the Government. Resources for the office are provided by the Legislative Assembly.

## **25.3 ROLE OF THE EXECUTIVE DIRECTOR OF HUMAN RIGHTS**

The Executive Director of Human Rights is also appointed by the Commissioner, on the recommendation of the Legislative Assembly. The Executive Director reports to and is a non-voting member of the Commission.

The Executive Director of Human Rights is responsible for the managerial and administrative aspects of the Commission's office and administration of the Act. The Executive Director maintains a public registrar of complaints and provides the Commission with a written report on the status and disposition of complaints, every three months. The Executive Director may investigate and recommend to the Commission whether a complaint should be dismissed or referred to the Adjudication Panel.

## **25.4 ROLE OF THE HUMAN RIGHTS ADJUDICATION PANEL**

The Adjudication Panel, comprised of at least three persons, is appointed by the Commissioner of the Northwest Territories, on the recommendation of the Legislative Assembly, pursuant to Section 48 of the *Human Rights Act*. The panel is responsible for considering complaints referred to it by the Commission, and for hearing any appeals of the Commission's decision regarding the dismissal of a complaint.

## **26. OFFICE OF THE EQUAL PAY COMMISSIONER**

### **26.1 ROLE OF THE EQUAL PAY COMMISSIONER**

The Equal Pay Commissioner receives complaints from employees who believe that their right to equal pay for work of equal value has been violated.

The Commissioner must investigate complaints and may assist the parties to resolve them informally. If the complaint is not resolved, the Equal Pay Commissioner must prepare an investigation report with recommendations for the parties about how to resolve the complaint. If the parties cannot agree on a resolution, an arbitrator will hear the dispute. The Equal Pay Commissioner promotes awareness and understanding of the right to equal pay for work of equal value.

### **26.2 RESPONSIBILITIES OF THE EQUAL PAY COMMISSIONER**

The right to equal pay for work of equal value is created by section 40 of the *Public Service Act* and applies to public service employees. It requires that there be no differences in the rate of pay between male and female employees who perform work of equal value in the same establishment.

The Act designates the Government, the NWT Power Corporation, and teachers who are covered by the Act as separate establishments.

## 27. OFFICE OF THE OMBUD

### 27.1 ROLE OF THE OMBUD

The Ombud administers the *Ombud Act* to promote and protect the public's right to administrative fairness in their dealings with GNWT departments, health and social services authorities, housing authorities, and many other territorial public services.

The Ombud is impartial and independent from the government. Resources for the Office, which includes a small team of staff in addition to the Ombud, are provided by the Legislative Assembly. The Ombud is appointed by the Commissioner on the recommendation of the Legislative Assembly for a term of five years.

### 27.2 RESPONSIBILITIES OF THE OMBUD

The Ombud has a mandate to:

- provide public education on the principles of administrative fairness and the role of the Ombud;
- resolve complaints from members of the public who feel they have been treated unfairly by a GNWT Department or other authority; and
- investigate potential administrative unfairness on their own initiative or on referral by the Legislative Assembly, a Standing Committee, an Indigenous government, or a municipal government.

Public education is carried out through activities such as training for public servants, presentations to the general public or special groups (e.g., high school students; boards and councils), and participation in community events (e.g., tables at festivals, trade shows, etc.).

The Office can resolve most complaints informally. This is done through research and review of laws, policies, documents, and/or through emails and discussions with public service staff or officers and the

person making the complaint. A very few complaints lead to formal investigations and recommendations to the Department or authority involved. Investigations involve the Ombud's powers to question witnesses and to require that authorities turn over documents and other evidence.

The complaint process is confidential, and investigations are private. However, the Ombud can publish reports on both complaint-based and own-initiative investigations and includes a few case summaries in their annual reports to the Legislative Assembly. Examples of past investigation reports and annual reports can be found on the Ombud's website at <https://nwtombud.ca/reports/>

In addition to resolving complaints, the Office is knowledgeable about other services and can usually find a place to refer someone who has a problem that is outside of the Ombud's mandate, or a problem that is better dealt with by another service or agency.

People often come to the Office with multiple issues. The service the Office provides can be a combination of listening to the person's whole story, going over information and documents with them, being upfront about what might or might not be realistic for them to expect, helping them navigate to the right place(s) for the parts the Office cannot help with, and working with Departments and authorities to resolve the parts that are within the Ombud's mandate.

## COMMITTEES

### 28. COMMITTEES – GENERAL

Standing and Special Committees are an essential part of any parliamentary democracy. They allow the Assembly to refer complex matters to a smaller group of Members for detailed study and analysis. In consensus government, Committees may act as a sounding board for Cabinet prior to proceeding with legislative, budgetary

or policy initiatives. Committees also allow for public input into important matters of public policy, including the consideration of proposed legislation and budgets, and they allow Members to develop expertise in certain specific areas.

Committees are extensions of the House itself. Committees can only exercise those duties delegated to them by the House. They must report their findings to the House. The Legislative Assembly has three types of Committees:

- Committee of the Whole;
- Standing Committees; and
- Special Committees.

### **28.1. AUTHORITY OF COMMITTEES**

Committees of the Legislative Assembly are established pursuant to Section 44 of the *Legislative Assembly and Executive Council Act*. A Committee has no authority except that which it is given by the Assembly.

Terms of references are established for each Standing Committee, however, the Assembly may also refer any other matter, not covered by the terms of reference, to a Standing Committee by passing a resolution in the House. Committees can provide the public with an opportunity to make representations on certain matters.

Committees are also authorized by the Rules of the Legislative Assembly to call for persons and documents and to examine witnesses.

All Committees are required to report to the Assembly, in accordance with the Rules and the direction of the House. Members should refer specifically to the Rules of the Legislative Assembly for more information on Committees.

## **29. COMMITTEE OF THE WHOLE**

This Committee consists of all Members of the Assembly. It is the Assembly itself in a less formal gathering, presided over by a Chair, rather than the Speaker. Committee of the Whole conducts its business according to more flexible rules of procedure. In the absence of the Chair (Deputy Speaker), there are two Deputy Chairs available to take the Chair. The Committee of the Whole may consider only those matters referred to it by the Assembly.

## **30. STANDING COMMITTEES**

The Legislative Assembly establishes Standing Committees early in the life of each Assembly.

In accordance with the Rules of the Legislative Assembly, at the commencement of each new Assembly, the Standing Committee on Accountability and Oversight prepares and reports lists of Members to compose the Standing Committees. Committee membership is assigned based on a Member's interests, ability and experience. When appropriate, and in accordance with the Rules, alternate Members are also appointed to Committees.

Standing Committees may meet in public, in camera and/or hold public hearings on issues of significance or to review proposed legislation.

Standing Committees may review Government plans or proposals at the early stage of their development. Through Committee reports, Committees provide input to assist the Government in moving forward with its proposals.

### 30.1 COMMITTEE SUPPORT

At a minimum, a Committee Clerk and a Committee Advisor are assigned to each Standing Committee by the Clerk.

The Committee Clerk's responsibilities include, but are not limited, to:

- facilitating a record of proceedings, in accordance with established policies and any further direction of the Committee;
- recording decisions of the Committee;
- advising the Chairpersons and Members on procedural, budgetary, administrative and public information matters;
- preparing agendas, notifications and correspondence in consultation with the Chairperson; and
- facilitating all necessary meeting arrangements, including the provision of the Law Clerk's services where required and the scheduling of witnesses before the Committee.

The responsibilities of the Committee Advisor include, but are not limited to:

- highlighting and clarifying central issues before the Committee, including legislative, budgetary and policy matters;
- obtaining background information and documents on issues before the Committee, including inter-jurisdictional research;
- providing briefings and analysis of items, issues and documents before the Committee and in accordance with the direction of the Committee; and
- preparing drafts and final versions of Committee reports as directed by the Committee.

Committee staff help draft motions as required to facilitate the conduct of Committee business and at the direction of the Committee.

Members' concerns respecting staff services to a Committee should be brought to the attention of the Clerk of the Legislative Assembly, or the Deputy Clerk of House Procedures and Committees by the Committee Chair.

### 31. MANDATES OF THE STANDING COMMITTEES

Each Committee has the responsibility for examining its own procedures to ensure its work is carried out in an efficient, economic and effective manner. It is important that Members attend regularly and on time. The structure of the Committee system is determined by and tailored to the needs of each Assembly.

### 32. SPECIAL COMMITTEES

Special Committees are appointed by the Legislative Assembly to deal with specific matters not assigned to a Standing Committee. A Special Committee is automatically dissolved when it makes its final report or at a time designated by the Assembly when the Committee is formed. Special Committees receive similar administrative and professional services as provided to the Standing Committees.

### 33. SELECTION AND DUTIES OF COMMITTEE CHAIRS

The Member first named to a Committee will call the first meeting of the Committee.

The selection of a Committee Chair will be the first order of business and is presided over by the Committee Clerk. The selection occurs via nominations and election by secret ballot. Any Member of the Committee is eligible to be nominated and Members are permitted to nominate themselves. The selection of a Chair may be followed by the selection of a Deputy Chair in the same manner.

If a vacancy occurs, the same method is used to select a new Chair or Deputy Chair.

Chairs and Deputy Chairs are accountable to the Members of the Committee and may be removed from either position by motion of the Committee.

### 34. ATTENDANCE AT MEETINGS

Quorum for all Committees is three Members unless the terms of reference for that Committee state otherwise. Members are contacted in advance of a meeting and must commit to attend for the duration of the meeting. If a Member is unable to attend for the full duration of the meeting, and quorum for that meeting cannot be achieved, an alternate is contacted to attend in their place. Alternates are called for a Committee meeting as required on a rotational basis.

Pursuant to Section 2 of the *Indemnities, Allowances and Expense Regulations*, the Committee Chair, or at the request of the Chair, the Clerk of the Committee, shall record a Member's absence at a meeting, noting the reason for the absence.

The Board sets out the following possible explanations for a Member's failure to attend a meeting of the committee:

- the absence is in the course of the Member's duties as a Member or Minister or as the Premier or Speaker;
- the absence is a result of the Member's illness or injury or due to bereavement; or
- the absence is due to personal reasons.
- The absence is due to factors outside the Member's control (i.e. weather, road closure or state of emergency)

If a Member is absent for six meeting days in a calendar year without a valid explanation, the Committee shall recommend to the House that the Member be removed from the Committee.

### 35. TABLING OF SUMMARY OF MEMBERS' ABSENCES

The *Indemnities, Allowances and Expense Regulations* require the Speaker to table a report noting each Member's failure to attend formal sittings of the House and meetings of Committees and the Board. The report identifies each meeting at which a Member was absent and the reason for the absence. The report is prepared by the Clerk of the Legislative Assembly and tabled by the Speaker during each sitting.

Each report covers the period beginning the day after the adjournment of the last sitting and ends on the day prior to the first day of the sitting during which the report will be tabled.

The last report tabled prior to dissolution of the Assembly will include the entire record for that Assembly, beginning on the day after the most recent general election and ending on the day prior to the last day of sitting. Members should refer to the *Indemnities, Allowances and Expense Regulations*, Section 5, for further details.

The tabled report also lists the optional meetings a Member has attended. The Summary of Members' Absences Report, once tabled, will appear in a prominent and accessible place on the Legislative Assembly's web site.

### 36. CONFIDENTIALITY

Confidentiality respecting Committee proceedings and documents must be maintained in accordance with the Rules of the Legislative Assembly, the Code of Conduct, parliamentary practices and traditions, and in keeping with the privileges enjoyed by all Members individually and the Legislative Assembly collectively.

The disclosure of confidential Committee information is a breach of privilege and may be subject to the discipline of the House.

### 37. COMMITTEE BUDGET

Estimated Committee expenditures are budgeted, and each Committee is responsible for approving and monitoring expenditures each fiscal year. Committee approvals must be secured for all, but the most routine expenditures associated with Committee meetings.

Budget status reports are generated and supplied to Committee Chairs and are placed on the agenda at the direction of the Chair or the request of a Committee Member or Members.

The expenditure authority of a Committee in a fiscal year is limited to the amount allocated by the Board. If unforeseen events or Committee activity lead to an actual or potential over-expenditure in any fiscal year, the Committee must apply immediately to the Board to address the over-expenditure or to request additional funding.

### 38. COMMITTEE TRAVEL

Aside from Members' travel to attend Committee meetings in the capital, travel by the Committee, or a Member or Members of a Committee must be approved by motion of the Committee.

Eligible Committee travel includes only that which will:

- provide a tangible benefit to the work of the committee in fulfilling its mandate;
- enhance the skills and capabilities of Members to improve their contributions to the work of the Committee through greater insight and understanding of complex issues directly related to the Committee's mandate; and

- be undertaken in the most cost effective and efficient manner available. Eligible Committee travel costs outside the capital include reasonable transportation and accommodation expenses, and meal and incidental expenses at approved Federal Treasury Board rates.

Any member of a Committee who undertakes approved travel on behalf of the Committee, at Committee expense, may be required to submit a written report to the Committee outlining the results and benefits of such travel. The report must be provided to the Committee at the earliest opportunity following the completion of the travel.

Committee approval of travel is subject to the availability of funds in the Committee's budget.

### 39. LANGUAGE SERVICES

The Legislative Assembly's Language Services Policy applies to Committees. Interpretation services for witnesses appearing before a Committee will be provided upon reasonable advance notice and subject to approval by the Committee. The Committee Clerk will canvas Members for the needs of interpretation during public meetings.

### 40. RECORDINGS OF PROCEEDING

The following Legislative Assembly Committee meetings will be recorded:

- where a Minister is present;
- public hearings on reports of the Auditor General and other Statutory Officers;
- public meetings for the purpose of examining Bills; and
- other matters where witnesses appear before a committee of the Assembly.

All recordings will be in audio format and may be subject to technical limitations imposed by some remote locations.



In camera proceedings of a Committee will not be recorded unless directed by the Committee. Transcription of audio recordings will be identified on a case-by-case basis, as determined by the Deputy Clerk, House Procedures and Committees, in consultation with the appropriate Committee Chair.

Audiotapes of committee meetings that are not transcribed are considered full retention records and are treated in the same manner as other committee records.

Public committee meetings held inside and outside of the Capitol will be broadcast on the Legislative Assembly website and social media pages. If internet services in smaller communities is unavailable, the public meeting will be recorded for later broadcast.

## HOUSE PROCEDURES THE LEGISLATURE

### 41. LIFE OF A LEGISLATURE

In the Northwest Territories a general election takes place on the first Tuesday in October, every four years. The *Legislative Assembly and Executive Council Act* requires the first session to take place within 45 days from polling day. After a general election, the Commissioner will announce the first session of a new Legislative Assembly. All Members of the Legislative Assembly are required to be at their seats in the Chamber at the date and time set by the Commissioner.

The life of a Legislature ends with dissolution, which is followed by the calling of a general election. The Premier, Ministers and the Speaker continue to perform their duties until replacements are selected after the next general election.

### 42. SESSIONS

The work of the Legislative Assembly is organized in blocks or Sessions. A Session is concluded with the Commissioner indicating that it will be prorogued. The period of time

between one Session and the next is known as a recess. When a Session is prorogued, all unfinished business of the Assembly and Committees is removed from the Orders of the Day.

### 43. SITTINGS

A Session of the Legislative Assembly may be broken down into multiple sittings, which can vary in length from a day or two to multiple weeks. A sitting is normally ended with a motion for extended adjournment. The normal daily sittings of the Assembly are from 1:30 to 6:00 p.m. on Mondays through Thursdays and from 10:00 a.m. to 2:00 p.m. on Fridays. The Assembly does not sit every second Friday and Monday. These hours may be amended by motion of the House.

## PROCEDURE IN THE ASSEMBLY

### 44. PARLIAMENTARY PROCEDURE

The Assembly conducts its business according to Parliamentary procedure, which is a combination of two elements:

- The Rules of the Legislative Assembly, which consists of rules, practices and procedures governing such matters as the Assembly's order of business, format for debates, conduct of Members, how time is allocated; and
- parliamentary tradition and precedents of the Assembly as developed over time through interpretation, Speaker's rulings.

The Rules of the Legislative Assembly cover most matters that come before the Assembly. They are always consulted first. In a situation not covered by the Rules, the Speaker refers to past practices, traditions and Speakers' Rulings to determine whether the situation has come up before.

In the absence of past practice, the Speaker considers precedents in Canadian and other Commonwealth parliaments. The authorities most often consulted in these cases are House of Commons Procedures and Practice, Beauchesne's Parliamentary Rules and Forms of the House of Commons of Canada, both of which cover practice in the Canadian House of Commons and Erskine May's Treatise on the Law, Privileges, Proceedings and Usage of Parliament, which is the authority for United Kingdom practices. These authorities are consulted in the order noted above and copies are available in the Legislative Library.

The Rules of the Legislative Assembly are available electronically on the Legislative Assembly's web site. The Rules can only be changed by Motion of the House or Committee of the Whole. When changes to the rules are made an updated consolidation is published electronically and distributed to all Members.

Any Member who wishes further information or clarification regarding the Rules of the Legislative Assembly should contact the Deputy Clerk, House Procedures and Committees.

#### **45. POINTS OF ORDER**

If a Member believes the Rules or practices of the Legislative Assembly are not being followed they may bring it to the attention of the Speaker attention according to section 3.3 of the Rules.

A Member rising on a Point of Order may interrupt another Member, other than the Speaker. When rising on a Point of Order, Members should reference which rule, tradition or precedent they feel has been broken in a clear, concise manner.

The Speaker may allow debate on the point of order and rule on it either at that time or at a later date.

#### **46. PRIVILEGE**

Privilege in the parliamentary sense is all the rights and powers, other than the power to legislate, enjoyed collectively by the Assembly and individually by its Members and without which they could not perform their duties.

Please refer to Section 1 of this Handbook for further information on privilege.

##### **46.1 POINTS OF PRIVILEGE**

Members are responsible for bringing any perceived breach of privilege to the Assembly's attention at the earliest opportunity.

To constitute a breach of privilege, there must be some improper obstruction to the Member in performing their legislative work, as opposed to a mere expression of public opinion or criticism of the activities of the Member or the House. Members are entitled to go about their legislative business undisturbed. Assaulting, menacing or insulting any Member on the floor of the House, or while the Member is coming or going from the House, or as result of his or her behaviour during a proceeding in the Legislature, is a breach of privilege.

The speaking or doing of an act must be tied to some legislative business in which the Member is taking part. The privilege of freedom of speech is not absolute and is generally confined within the context of parliamentary proceedings.

A Member rising on a Point of Privilege may interrupt another Member, other than the Speaker. When rising on a Point of Privilege, Members should be clear and concise in explaining how they feel their privilege has been breached. The Speaker may allow debate on the point of privilege and rule on it either at that time or at a later date.

If the Speaker rules that there appears to be a *prima facie* breach of privilege a Member may move a motion calling upon the

Assembly to take some action on the matter or referring the matter to a Committee of the Assembly. This motion may be moved immediately upon a ruling from the Speaker or notice may be given on the next sitting day.

If the Speaker determines that there is no *prima facie* breach of privilege or that the matter was not raised at the earliest opportunity, the matter is closed and cannot be further debated.

## **47. PERSONAL EXPLANATION**

With the Speaker's approval, a Member may explain a matter, which, although not a breach of privilege, concerns them in their role as a Member. The most common matters raised by Members are to explain that they have been misquoted or misunderstood, or to deny published accusations against them.

Members should refer to Section 1.8 of the Rules of the Northwest Territories Legislative Assembly for more information about personal explanations.

### **47.1 DOCUMENTS OF THE ASSEMBLY**

Legislative Assembly documents include all the papers and records of the House generated during sittings of the Assembly. This includes Orders of the Day, Motions, Tabled Documents, Reports of Standing and Special Committees, Petitions, Hansard, Votes and Proceedings, Tabled Documents, Written Questions and Ministers' Statements.

The Clerk is responsible for the safekeeping of all documents of the Assembly.

## **48. ORDERS OF THE DAY**

The official daily agenda for the Assembly is called "Orders of the Day". It lists all the items of business that may be considered by the Assembly on a particular day.

Before the House adjourns each day, the Clerk reads out the Orders for the next sitting day. Business that has not been completed

during a sitting day is carried forward to the next day's agenda in accordance with the Rules and practices of the House. The Orders of the Day are available electronically on the Legislative Assembly website and hard copies are placed at each Members' desk in the Chamber prior to the start of each sitting day.

## **49. MOTIONS**

A motion is a formal proposal made by a Member. It is a proposal that the Assembly do something, order something to be done or express an opinion on a matter. All formal motions require 2 sitting days' notice, must be seconded, and in writing.

Once the Member has read the motion and the Speaker has ruled it in order, it may be debated, amended, adopted, defeated, or withdrawn as the Assembly may decide.

When a motion is adopted, it becomes a resolution or an order of the Assembly. It becomes an order when the Assembly requires one of its Committees, Members, or another person to do something. It becomes a resolution when it declares the opinion of the Assembly or affirms a fact or principle.

For further information on motions, amendments and notices of motion, Members should refer to the Rules of the Legislative Assembly, Chapter 6.

The Speaker can rule any motion out of order, or modify it with respect to form, so it is not objectionable or contrary to the Rules and practices of the Legislative Assembly.

For further information on motions, amendments and notices of motion, Members should refer Chapter Six of the Rules.

## **50. TABLED DOCUMENTS**

A tabled document is one that has been put before the Assembly. To be tabled a document should be of public interest or importance and should not be widely available in the public domain. Some documents may be required to be tabled

in the House by an Act or order of the Assembly. All tabled documents are recorded by the Clerk as received and are made available to the general public.

## **51. REPORTS OF STANDING AND SPECIAL COMMITTEES**

Reports of Standing and Special Committees are the official written accounts of proceedings of Standing and Special Committees. A report from a Standing or Special Committee may be adopted by the Assembly, referred to Committee of the Whole or referred back to the Committee that presented it. A Committee Report may require the Government to provide a comprehensive response. Committee Reports are made available to the public on the Legislative Assembly website and in the Library.

## **52. PETITIONS**

A petition is a request to the Assembly to address certain concerns. Any Member may present a petition to the Assembly either personally, or by filing it with the Clerk. The Clerk forwards all petitions to the Speaker or the Minister responsible and the Speaker or Minister must provide a response within 60 days. All responses are tabled in the Assembly.

The Member presenting the petition must ensure that it is not objectionable in form and content and must sign the petition statement. It is not necessary that the Member support the petition, but the Member should agree that it is a proper matter to be brought before the Assembly.

Members should refer to the Rules of the Northwest Territories Legislative Assembly for more information on petitions.

## **53. HANSARD**

Hansard is the near verbatim transcript of the Assembly's proceedings. When Members make a statement, ask a question, or participate in any way in proceedings in the Chamber, their words are captured on a microphone at the Member's desk. The Member's words are transcribed and formatted to produce Unedited Hansard, commonly called "the Blues". These are available on the Legislative Assembly website for review the morning following the sitting. Members should review the unedited Hansard to ensure their words are reflected accurately and have until 10:00 a.m. on the day after posting to submit any corrections. Edits to Hansard must not affect the substance of the transcript.

The corrected transcript is compiled, edited, and distributed and becomes Hansard, the near verbatim transcript of the Legislative Assembly and Committee of the Whole. A final, edited version of Hansard is posted to the Legislative Assembly website within five business days of the sitting day. Hansard is available only in English.

Members should refer to the Rules of the Northwest Territories Legislative Assembly for further information regarding Hansard.

## **54. VOTES AND PROCEEDINGS**

Votes and Proceedings is the official record of the proceedings of the Assembly and Committee of the Whole. It is compiled, edited, printed and distributed by the Office of the Clerk. Votes and Proceedings is available in English and French on the Legislative Assembly's web site and in hard copy at the Legislative Library.

## 55. BILLS

A Bill is draft legislation to be considered by the Assembly. If a Bill is passed and has received assent, it becomes law.

There are two types of Bills, a Government Public Bill and Private Member's Public Bill.

A Government Public Bill is introduced by a Minister. It reflects the policy direction of the government. It is the most common type of Bill. It may propose an entirely new act, the replacement of an existing act or amendments to an existing act.

A Private Member's Public Bill may also propose an entirely new act, the replacement of an existing act or amendments to an existing act. It is introduced by a Member who is not on Cabinet. Any regular Member may introduce a Bill to establish an act or to amend any public act as long as the rules regarding money Bills, as described below (Section 55.1), are followed. For more information on the drafting of Private Member's Public Bills, see section 55.9.

### 55.1 MONEY BILL

If a Bill involves spending public funds or imposes a charge or tax upon citizens, the Commissioner must recommend it to the Assembly. Only Ministers can obtain a recommendation from the Commissioner. A Regular Member cannot introduce a money Bill.

### 55.2 HOW A BILL BECOMES LAW

No Bill can become law until it has received the approval of the Assembly and the assent of the Commissioner. It is important that the Assembly has opportunities to consider all Bills, both in general principle and in detail. For this reason, all Bills must pass through several stages.

### 55.3 INTRODUCTION AND FIRST READING

After giving 2 days' notice, the sponsor will present their Bill to the House for First Reading. Under the Rules, a Bill presented for First Reading is deemed read without a vote.

### 55.4 SECOND READING

At this stage the sponsor moves a motion that their Bill be read for a second time and the principle of the Bill is considered by the Assembly. Members can debate the general application and desirability of the Bill prior to voting on second reading. If the motion to read a Bill for a second time is carried, the Bill is referred to a Committee for further consideration.

When reviewing a Bill after Second Reading, the Committee may conduct public hearings and must hold a public clause-by-clause review of the Bill. The Committee is required to conclude their consideration and report the Bill back to the Assembly within 120 days, or on the first sitting day after the 120-day review period expires.

If the Committee reports the Bill as ready for further consideration in Committee of the Whole, it will appear on the Orders of the Day two days later. If Committee reports that the Bill should not proceed to Committee of the whole, it will not show up on the Orders of the Day unless the Sponsor moves a formal motion, and that motion is carried by the House. A Bill may be amended by a Standing or Special Committee if the Minister agrees with the amendment. If so, the Bill is reprinted as amended before the Committee reports the Bill back to the Assembly.

### 55.5 COMMITTEE OF THE WHOLE STAGE

The Bill is considered in detail and reviewed clause by clause in Committee of the Whole. Each clause must be considered and may be amended. Clauses may be called one-by-one or may be called in groups by the Chairperson of Committee of the Whole.

Once Committee concludes its consideration of the Bill, it is reported back to the House and is ready for Third Reading.

### **55.6 THIRD READING**

The purpose of Third Reading is to review the Bill in its final form, including any amendments that may have been made at the committee stage. At third reading can debate the Bill in its final form and may move motions to amend the Bill, refer the Bill back to the Committee that reviewed it, or have third reading postponed to a specific future date. Motions require the support of the majority of Members.

### **55.7 ASSENT**

Once a Bill has passed through all the stages outlined above, it requires assent to make it an Act. Assent is given by the Commissioner.

### **55.8 COMING INTO FORCE**

After assent, a Bill will come into force on the day of assent, or if the Bill includes a coming into force clause, either on a specific day or days to be fixed by order of the Commissioner.

### **55.9 DRAFTING OF PRIVATE MEMBERS' PUBLIC BILLS**

Requests for assistance with drafting a Private Member's Public Bill (PMPB) must be submitted in writing to the Clerk or Law Clerk. All requests will be kept confidential.

The Clerk or Law Clerk and the Member requesting drafting assistance will consider the time and costs involved. The Law Clerk will provide the Member with advice as to process, cost implications and personnel to be involved to accomplish the Member's request, and assign themselves or a Deputy Law Clerk to provide support.

Once a specific Law Clerk is assigned, they are the only one who will work on the PMPB with the Member to avoid conflict with the responsibilities of the other Law Clerks to the Legislative Assembly. The assigned Law Clerk will request the assistance of the

Director, Legislation Division in the Department of Justice to assist with the drafting of PMPB and private member amendments to bills. Such assistance will be provided to the Law Clerk on a confidential basis.

### **55.10 BOARD APPROVAL**

The approval of the Board of Management is required if the drafting of the PMPB requires the engagement of outside legal counsel and if the Legislative Assembly is requested to pay the cost.

To make a request that the Board reimburse their legal fees, Members must write a letter to the Speaker detailing the time and cost implications. Details of the purpose of the PMPB will not be disclosed to the Board of Management.

The Speaker then provides the request to the Clerk, which prepares a submission to the Board for presentation at one of its upcoming meetings. In preparing the Board submission, and the Clerk may request additional information from the Member to ensure that the Board has all of the necessary information before coming to a decision.

The Board has final authority in determining whether to grant a request for reimbursement of legal fees. The Board of Management may refuse any request if the cost is not within the appropriation of the Legislative Assembly or if, in the opinion of the Board, the cost of the project is otherwise too significant.

Following the Board meeting at which their request is considered, the Speaker informs the Member of the Board's decision. The Clerk then liaises with the Member to ensure that all invoices are provided to the Clerk. The amounts claimed are reviewed by Law Clerk or the Deputy Law Clerk to verify that they align with the rates pre-established by the Board and are reasonable in the circumstances.

### **55.11 ALTERNATE DRAFTING SERVICES**

A Member may also purchase services from outside legal counsel for the drafting of a PMPB from their Constituency Work Expense Allowance.

# COMPENSATION AND BENEFITS

## 56. BASIC COMEPENSATION

Basic compensation for Members is adjusted each year to the average percentage increase or decrease in the Canadian Consumer Price Index (CPI) for Canada in the previous five years.

The Basic Compensation payable to Members under Subsection 17(1) of the [Legislative Assembly and Executive Council Act](#) is outlined in Part 1 of Schedule C and updated each fiscal year and tabled in the House by the Speaker.

## 57. ADDITIONAL SALARY

Pursuant to the Act, Members who hold ministerial or legislative offices receive an additional salary. If a Member holds two or more positions for which an additional salary is granted, the Member will receive only the higher amount.

The Additional Salary payable to Members under Subsection 18(1) of the [Legislative Assembly and Executive Council Act](#) is outlined in Part 2 of Schedule C and updated each fiscal year and tabled in the House by the Speaker.

## 58. Committee Participation: Additional Stipend

This section applies to all MLAs, excluding the Speaker, Premier, or Ministers.

MLAs are expected to participate on a minimum of two standing committees (not including the

Standing Committee on Accountability and Oversight). MLAs will receive a stipend of \$2,000.00 for each standing committee they are a member of, to a maximum of \$4,000.00. If an MLA sits on more than two committees,

there will be no additional stipend paid. If an MLA refuses to sit on at least two committees, then it will reduce their pay by \$2,000.00 per committee to a maximum of \$4,000.00

## 59. TABLING OF REPORTS

Each year the Speaker tables an annual report detailing all indemnities, allowances and expenses paid to each Member in the previous fiscal year.

## 60. BENEFITS ELIGIBILITY

All Members, and in some cases a Member's spouse and dependent children, are eligible for the benefits outlined below. It should be noted that Members are not employees of the Government of the Northwest Territories.

All Members may receive the same medical travel, health, dental and life insurance benefits available to senior managers in the public service. Eligibility for these benefits ceases for a Member on Polling day of a new election, or when the Speaker or a Minister no longer hold office, as per the LAEC Act.

Failure to complete required documentation can adversely affect a Member's eligibility for benefits. The following staff contacts can provide Members with assistance and information on benefits:

- Dental Plan – Benefits Specialists, Department of Finance
- Public Service Health Care Plan (PSHCP) – Benefits Specialists, Department of Finance
- Public Service Management Insurance Plan (PSMIP) – Benefits Specialists, Department of Finance

- Travel Accident Insurance – Executive Director, FESS, Department of Finance
- Long Term Disability Insurance (LTD) – Benefits Specialists, Department of Finance
- Medical Travel Assistance – Executive Director, FESS, Department of Finance
- Pension Plan – Deputy Clerk, Members' and Precinct Services

### 60.1 DENTAL PLAN

The plan provides 100% reimbursement for all eligible expenses, subject to a yearly deductible of \$25 for single coverage and \$50 for family coverage. Major restorative work (crowns, bridges, dentures, etc.) is reimbursed at 50%. Dental coverage (excluding orthodontic services) is limited to \$1,500 per year per dependent.

Members should note that the benefit year is from April 1 to March 31 of the following year.

The plan provides orthodontic coverage for your dependents under the age of 19. Reimbursement is limited to 50% of actual costs, to a maximum of \$4,000 per dependent per lifetime.

Coverage comes into effect six months after a Member is elected.

Details of the plan are outlined in the Green Shield Benefit Booklet on My HR in the Employee Benefits Section <https://my.hr.gov.nt.ca/employees/benefits>

### 60.2 PUBLIC SERVICE HEALTH CARE PLAN (PSHCP)

This insurance provides 80% reimbursement for all eligible expenses or of stated maximums, if any.

The purpose of the PSHCP is to reimburse Plan participants for the reasonable and customary costs they have incurred for eligible services and products as described in the Plan Document after they have taken advantage of benefits provided by their provincial or territorial health insurance plan.

There is a Hospital Provision which provides reimbursement for reasonable and customary charges, up to up to \$250 per day, for the cost of hospital room and board charges other than standard ward charges (i.e. semi-private or private accommodations).

The monthly premiums are paid by the Legislative Assembly and coverage is optional. The benefit year is January 1 to December 31. Details of this plan are outlined in the PSHCP directive and can be found at: [Your plan \(canadalife.com\)](#).

### 60.3 PUBLIC SERVICE MANAGEMENT INSURANCE PLAN (PSMIP)

This life insurance plan has four parts:

- Basic Life – two times the Member's adjusted annual salary;
- Supplementary Life – equal to one year of the Member's adjusted annual salary;
- Accidental Death and Dismemberment – \$250,000 for accidental death or an appropriate percentage payable for dismemberment; and Dependents' Insurance – both life insurance and accidental death and dismemberment benefits (double indemnity) of \$5,000 for your spouse and \$2,500 for each dependent child over 14 days of age.



Participation in PSMIP is optional. Premiums are based on age and remuneration. The monthly premiums are paid by the Legislative Assembly, except for the Supplementary Life insurance, which is paid by the Member.

Details of this plan are outlined in the [Public Service Management Insurance Plan executive plan booklet - Canada.ca](#)

#### **60.4 ACCIDENTAL DEATH & DISMEMBERMENT – DUTY TRAVEL**

This group insurance policy provides coverage for accidental death and dismemberment, with a policy limit of \$200,000.

Compensation is only for the greatest loss sustained as the result of any one accident. This benefit will apply to injuries sustained anywhere in the world, 24 hours a day.

There will be no payment for any loss, fatal or non-fatal, caused or contributed to by:

- suicide or self-destruction, actual or attempted, while sane or insane; or
- any act of declared or undeclared war; or
- service in the Armed Forces of any country; or
- acting as a pilot, operator or member of the crew of any aircraft.

This coverage is in addition to any other benefits or insurance plan. Completed claim forms will be submitted to the Insurer, who will assess the claim. The

Insurer will pay the Members or the Member's beneficiary the claim directly. Premiums are paid by the Legislative Assembly.

## 60.5 LONG TERM DISABILITY

This insurance provides up to 70% of your insured annual salary if a Member becomes disabled. Benefits are payable after an elimination period of 13 weeks.

For the first 24 months, the disability must prevent the Member from performing the duties of the position. After 24 months, the disability must prevent the Member from performing the duties of any commensurate occupation. A commensurate occupation is one for which the Member is reasonably qualified by training, education or experience. The rate of pay for the commensurate occupation must be at least 2/3 of the current rate for the regular occupation.

Long Term Disability (LTD) Insurance benefits continue if you remain totally disabled, or until the Member's 65th birthday, whichever is earlier. Monthly premiums are paid by the Legislative Assembly.

## 61. MEDICAL TRAVEL ASSISTANCE

Medical travel assistance is granted for travel from a Member's community of residence for non-elective medical treatment. The coverage is for the Member, spouse and dependent children. Reimbursement is determined on a trip-by-trip basis subject to the following provisions.

Payment will not exceed:

- return transportation to the point of departure or the nearest place where adequate treatment is available, whichever results in the lesser expense;
- 25 days hotel accommodation and meal costs, at duty travel rates. Reimbursement of these costs are not applicable to periods spent in a treatment facility;

- up to a maximum of \$50 per day for accommodation, meals and transportation (i.e. taxis to and from appointments) expenses for any periods beyond 25 days and not to exceed 40 days; and
- the lesser of return taxi or shuttle bus fare between the airport and the treatment centre.

Reimbursement is provided for overnight hotel accommodation enroute when travel to the treatment centre is interrupted by weather or other circumstances beyond your control.

When travel is by privately owned car and the total cost of the trip, including the per diem rate for meals, incidentals and lodging expenses, exceed the cost of the same journey by ordinary commercial means, reimbursement will be limited to the commercial cost.

Claims must be supported by a form completed by a qualified medical practitioner certifying that medical travel is necessary as the treatment was non-elective, required for the health of the patient, and could not be provided in the community of residence. The medical practitioner submits the form to Stanton Territorial Hospital for approval.

Medical travel assistance will not be provided if a similar benefit is available through another employer. Double coverage is not available if more than one family member is employed by the Government. Every effort must be made to schedule medical appointments/procedures while on other forms of leave.

### 61.1 MEDICAL TRAVEL – DENTAL

The GNWT provides Medical Travel Assistance for some dental procedures. The requirements for approval for medical travel for dental procedures are narrow:

Claims must be supported from a qualified healthcare professional or practitioner which can include a dentist, a licensed medical

doctor, nurse practitioner, community health nurse or midwife stating that:

- the treatment is non-elective;
- the urgent treatment is needed immediately or the patient's health could be jeopardized; and
- the treatment could not be provided by the facilities or services available in the community of residence.

In addition, the claim must also be approved by Green Shield, the dental coverage provider.

Medical travel will not be covered for the following procedures:

- Routine Extraction of Wisdom Teeth
- Routine Root Canals
- Periodontal (soft tissue work, e.g., dentures)

Each medical travel claim for dental procedure must be assessed by a healthcare professional before Medical Travel is approved.

## 61.2 ESCORT

The travel expenses of a non-medical escort may be reimbursed. A qualified medical practitioner must certify that it is necessary for the patient to be accompanied by some other person. The escort must be 19 years of age or older.

## 62. REGISTERED PENSION PLAN

The Northwest Territories Legislative Assembly provides a contributory pension plan for its elected Members. The plan is registered under the *Canada Income Tax Act*. The *Legislative Assembly Retiring Allowances Act* sets out the provisions of the basic MLA Pension Plan, in which all Members participate. Members are required to join this "Registered Plan" as soon as they are elected. Pension forms will be provided to each Member for completion.

Members contribute 6.5% of their pensionable income, which is calculated as all taxable income less the Northern Allowance. The right to receive benefits vests with the Member after four years of service, or the completion of one full term of office, whichever comes first.

Members will receive, upon reaching pensionable age, two percent of the average of their four best years' taxable income multiplied by the number of years of service, to a maximum of 30 years. Pensionable age is the earliest of 60 years, 30 years of service or the sum of age plus years of service equal to 80.

A Member who ceases to be a Member may elect to begin receiving a pension at any time. The amount of the pension will be reduced in proportion to the number of months remaining until the Member reaches pensionable age.

The pension provided under this plan is indexed to increase with the cost of living.

The pension plan provides a death benefit for a Member's surviving spouse, dependent children or other designated beneficiary. The amount of the benefit depends on length of service, family status and whether or not the pension has started.

## 62.1 SUPPLEMENTARY PENSION PLAN

An optional pension plan, the "Supplementary Plan" is administered under the *Supplementary Retiring Allowances Act*. Members must choose to participate in the plan within 60 days of being sworn-in as a Member of each Assembly they are a Member of. Members choosing to participate in the plan must contribute an additional 2.5 % of pensionable income. The plan is not registered with the Canada Revenue Agency as a pension plan and its benefits are not subject to federal legislation limiting pension benefits (although there are other broader tax implications with this plan).

The pension plan also provides a death benefit for a Member's surviving spouse, dependent children or other designated beneficiary. The amount of the benefit depends on length of service, family status and whether or not the pension has started.

### **63. INCOME TAX**

A Member's annual indemnities, Allowance for Expenses, Entertainment Allowance and the Northern Allowance are taxable.

Reimbursements made for receipted constituency and capital accommodation expenses, the allowance for expenses and the daily meal and incidental allowances paid at Federal Treasury Board rates for travel by a Member are not taxable.

Members are required to complete a TD1 form at the beginning of each term, which may be amended at any time. TD1 forms are available from Members' and Precinct Services.

### **64. TRUST AGREEMENT**

Where the Integrity Commissioner advises the Speaker or a Minister to establish a trust agreement during their term of office as referred to in section 82 of the *Legislative Assembly and Executive Council Act*, the Speaker or Minister are eligible to be reimbursed for expenses as set out in 12.4.(2) of the *Indemnities, Allowances and Expense Regulations*.

This includes reasonable costs to establish, administer and maintain a trust, costs of any commissions paid for converting, transferring or selling assets, costs for removing a Speaker or Minister's name from a registry, costs of any accounting, administrative, financial or legal services required due to complex arrangements, and costs to dissolve a trust.

Members are responsible for the payment of invoices. Claims for reimbursement are to be submitted to Members' and Precinct Services. These claims should include a detailed breakdown of the charges levied, including number of hours charged and the applicable hourly rate.

## **ALLOWANCES, ENTITLEMENTS AND SERVICES**

### **65. PLACE OF RESIDENCE**

It is required that a place of ordinary residence be established for all Members.

A Member is considered to live in the community in which they regularly or customarily engage in the normal routines of life when not:

- Attending a Session of the Legislative Assembly;
- A meeting of one of its Committees, of which they are a member;
- A meeting of the Executive Council;
- A committee of the Executive Council of which they are a member, or of the Financial Management Board;
- On constituency business in another community within the Member's constituency
- On business related to the Member's Ministerial or Executive Council responsibilities; or
- Any other "Business as a Member" as defined in the *Legislative Assembly and Executive Council Act*.

As a general guideline, and to assist Legislative Assembly staff in assessment of expense claims, a Member should spend a minimum of fifty percent of their time in their home community, when not required to be elsewhere for the reasons set out in the paragraph above.

## 65.1 PRINCIPAL RESIDENCE

Each Member, who does not ordinarily reside in the Capital, must swear a statutory declaration, in a form approved by the Board, before the Law Clerk, indicating the place where the Member ordinarily resides within 60 days of being sworn in as a Member.

If a Member fails to swear a statutory declaration within 60 days of being sworn in, the Member will be deemed to reside in Yellowknife effective the date of their swearing-in.

Members who knowingly file a false statutory declaration expose themselves to the disciplinary powers of the Legislative Assembly, a potential complaint to the Integrity Commissioner or criminal conviction. The statutory declaration must include the community, civic address or legal description of the Member's place of ordinary residence. A mailing address is not acceptable.

## 65.2 SECONDARY RESIDENCE

A Member may wish to establish a secondary residence in the capital. In order to be eligible to do this they must have ordinarily resided outside the capital for one year prior to election or establishment of a secondary residence.

A Member eligible to establish a secondary residence in the capital must swear a statutory declaration that provides information for both the Member's principal residence and secondary residence. In that case, the secondary residence will be considered to be the Member's ordinary residence.

The Speaker shall, as soon as possible, table the original statutory declaration in the Legislative Assembly.

## 65.3 RISK ASSESSMENT

The Statutory Declarations of Residence sworn by each Member will be subject to a risk assessment conducted by the Clerk's Office. The risk assessment form will

evaluate each Member's statutory declaration on the following four criteria:

1. Location and duration of owned or rented accommodation in community of residence.
2. Documentation provided by the Member in support of statutory declaration of residence.
3. Size of the family unit residing with the Member at the sworn place of residence.
4. Verifiable community activity in sworn place of residence during the previous year.

Based upon a Member's overall score on each of these four criteria, Members will be assigned one of three rating categories by the Clerk of the Legislative Assembly.

RATING	BENEFITS AND ALLOWANCES	EVALUATION REVIEW PERIOD
High	Allowed to access all benefits and allowances to which they may be entitled	Will be re-evaluated annually thereafter to establish continued eligibility
Medium	Allowed to access benefits and allowances to which they may be entitled	Will be re-evaluated quarterly to establish continued eligibility for the allowances and benefits
Low	Allowed to access benefits and allowances to which they may be entitled	Will be re-evaluated monthly to establish continued eligibility for the allowances and benefits

Failure to provide the Clerk with information and supporting documentation to carry out the re-evaluations as set out above will result in the Member being deemed to reside in Yellowknife for the purpose of calculating the allowances and benefits to which the Member is entitled.

This determination will be applied retroactively to the last submission of supporting documentation and the Clerk shall, without delay, recover all overpayments during that period from the Member's future indemnities and reimbursements. If a Member subsequently provides the Clerk with the required supporting documentation, the Clerk shall, without delay, reimburse the Member for any recoveries made.

Any Member may appeal the Clerk's rating to the Board for review.

If, at any time, the Clerk of the Legislative Assembly is of the view that the supporting documentation is inconsistent with, or does not support a Member's sworn Statutory Declaration of Residence, the Clerk will, without delay, prepare a report to the Board laying out his or her concerns.

After considering the report and hearing from the Member, the Board may:

1. Reject the Member's Statutory Declaration of Residence and deem them to be a resident of Yellowknife for the purpose of calculating the allowances and benefits to which the Member is entitled.
2. Accept the Members' Statutory Declaration of Residence.
3. Accept the Members' Statutory Declaration of Residence conditional upon the provision of supporting documentation by a specified time; make a complaint to the Integrity Commissioner.
4. Refer the matter to the RCMP for investigation.
5. The Speaker may also refer a Member's statutory declaration to the Integrity Commissioner for opinion at any time should they deem such a referral necessary.

## 66. COMMUTING DISTANCE

A Member lives within commuting distance of a place if the ordinary residence is no more than 80 kilometers away and it is possible to travel to that place by road.

For further clarity, a Member's ordinary place of residence is that place indicated on the Member's sworn Statutory Declaration of Residence.

## 67. NORTHERN ALLOWANCE

Every Member is eligible for a Northern Allowance, pursuant to the *Legislative Assembly and Executive Council Act*. This allowance is based on the Member's place of ordinary residence as indicated on their Statutory Declaration. The amount of this allowance is tied to the Collective Agreement between the GNWT and the Union of Northern Workers. The allowance is included in the Member's bi-weekly pay.

Until such time as a Member has sworn a Statutory Declaration of Residence, they will be paid the Northern Allowance based upon the Yellowknife rate. Once a Statutory Declaration has been sworn, the Member will be paid the Northern Allowance, retroactively to polling day, based on the rate assigned to their community of residence.

## 68. CHILDCARE ALLOWANCE

A Member will be reimbursed for eligible childcare expenses when:

- A Member's child, or children are required to travel with them for constituency or Legislative Assembly business.
- A Member has to travel and incurs extraordinary childcare expenses that the Member would otherwise not incur.

- A Member is required to attend constituency or Legislative Assembly business that occurs outside of regular business hours and incurs extraordinary childcare expenses that the Member would not normally incur.

Members with a child, or children, under the age of eighteen years old are eligible for reimbursement of childcare expenses from the Childcare Allowance. Prior approval from the Clerk is required.

Extraordinary childcare expenses are defined as those expenses related to childcare that are incurred by a Member that would not normally be incurred when the Member is required to travel or attend to constituency or Legislative Assembly business.

Members will be reimbursed for actual expenses upon submission of receipts. Eligible expenses are defined as, but not limited to the following:

- Travel costs for a child, or children
- Additional accommodation costs for a child, or children
- Additional meal and incidental costs for a child, or children
- Daycare or Afterschool fees
- Caregiver fees

Reimbursement of childcare expenses is a non- taxable/accountable benefit to Members who do not reside within commuting distance of the capital, and a taxable/accountable benefit for Members who reside in the capital.

## 69. ALLOWANCE FOR EXPENSES

Every Member of the Legislative Assembly is eligible to receive an annual gross allowance on a bi-weekly basis as a taxable, non-accountable allowance. No proof of expenses is required and taxes are collected when the allowance is paid to Members.

The Allowance for Expenses is intended to cover the following expenses:

- Meal expenses
- Local ground transportation expenses
- Hospitality expenses including meals, transportation, whether within or outside the constituency. (Hospitality, as defined in the Financial Administration Manual).

## 70. ENTERTAINMENT ALLOWANCE

The Speaker, Premier and Ministers are eligible to receive an annual \$1,500 allowance for duty related entertainment expenses. This allowance is taxable and non-accountable and paid in two installments. Eligibility for this allowance ceases when the Speaker, Premier or Minister no longer hold office.

## 71. PROFESSIONAL DEVELOPMENT FUND

A training fund for use by Members, individually and by application was established to assist Members in meeting their professional needs. Funds may be allocated for such needs as public speaking, crisis management, improved writing and research skills or strategic planning. The Board may use some of this fund to provide training for all Members in a specific area of interest.

The Board is responsible for providing oversight of this fund and general management of the program.

### 71.1 HOW TO APPLY

Members must submit an application to the Board. All applications must be received by March 1<sup>st</sup>. Members are asked to submit:

- Cover letter (outline professional development goals).
- Program Description and related Costs

## 71.2 SELECTION PROCESS

Each application will be assessed and approved by the Board based on set criteria. Priority of acceptance to the fund will be as follows:

- The training is integral to assist Members in meeting their professional needs.
- First time applicants who have not yet received funding through this program.

Successful applicants will be notified by March 31<sup>st</sup> of each fiscal year.

## 72. TRANSITION ALLOWANCE

Members of the Legislative Assembly are entitled to a Transition Allowance when they resign as Members of the Legislative Assembly or when the Assembly they are serving in is dissolved or ended by the passage of time and the Member does not become a Member of the subsequent Legislative Assembly. This allowance will be calculated pro rata for any period of service less than a year.

- For a Member who is not a Speaker, Premier or a Minister, the transition allowance is equal to one-twelfth of the annual indemnity for each consecutive year of service but cannot exceed the annual basic indemnity at the time of eligibility.
- For a Member who is a former Speaker, Premier or Minister, the transition allowance is equal and limited to their annual indemnity for a period of 12 months.

The transition allowance is cumulative and may not be exceeded where a Member received a transitional allowance and subsequently, after a break in service, again becomes a Member of the Legislative Assembly.

A Member entitled to a Transition Allowance can receive one lump sum payment immediately upon entitlement, two payments within one year of leaving office, spread the payment over the number of months equal to the Member's years of service.

## 73. RETRAINING ASSISTANCE PROGRAM FOR NON-RETURNING MEMBERS

The Retraining Assistance Program for Non-Returning Members provides assistance to former Members in their transition from public to private life. To be eligible for this benefit, a former Member must have served at least one complete term and have left office either through retirement or defeat. A former Member is entitled to \$1,000 in program funding for each year of service, up to a maximum of \$12,000.

### 73.1. HOW TO APPLY

The former Member must apply to access the program within one year of leaving office and, if the application is approved, can access the funding over a two-year period commencing on the approval of their application. The Retraining Assistance Program may be accessed only once in the lifetime of a Member.

Former Members will be responsible for submitting an application to the Board for approval, prior to the commencement of the program and release of funding. The application must include the cost of consulting, or counseling and planning services, educational courses or training program fees, information on the assistance or support to be provided to the former Member and a detailed schedule.

The Legislative Assembly will pay the service provider directly, or reimburse the former Member upon submission of receipts.



## CAPITAL ACCOMMODATIONS

### 74. CAPITAL ACCOMMODATION ALLOWANCE

Members who do not live within commuting distance of the Capital are eligible for reimbursement for either actual rent for rental accommodation in the Capital or the actual cost of hotel accommodation in the Capital. A Member may choose to rent accommodation on a yearly or monthly basis, or to rent hotel accommodation from time to time when in Yellowknife.

Where a Member chooses to rent accommodation the following may be reimbursed:

- Utilities (e.g. power, heat, water, sewage).
- Cable television.
- Monthly telephone connection charges (does not include long distance charges);
- Internet service.
- Parking that is used in conjunction with the accommodation.
- Cost of furniture purchased or rented for use in accommodation
- Tenant's all-risk insurance related to the accommodation.

Where a Member chooses to use hotel accommodation the following may be reimbursed:

- Expenses for hotel accommodation will be reimbursed from the Capital Accommodation Allowance only for the period of time in which the Member is in the Capital on Business as a Member.
- Expenses for parking used in conjunction with the hotel.

Members will be reimbursed for expenses under the Capital Accommodation Allowance when the Member has sworn a Statutory Declaration of Residence. The Legislative Assembly may reimburse Members for accommodation expenses incurred while in the Capital on Business as a Member for the period following their election and prior to having sworn a Statutory Declaration of Residence. All reimbursements made during this time will be made from the Member's Capital Accommodation Allowance and will be recovered from the Member's indemnities and allowances if an acceptable Statutory Declaration of Residence is not filed.

The maximum amount a Member may be reimbursed under the Capital Accommodation Allowance is set out in the *Indemnities, Allowances and Expense Regulations*. Members become personally responsible for any expenses incurred in excess of this amount. The Board is authorized to review the allowance from time to time and make any increases or decreases deemed necessary.

Amounts paid under the Capital Accommodation Allowance are fully accountable and expenses will be reimbursed only upon the production of receipts, invoices or other satisfactory documentation. Expenses will only be reimbursed if they relate to rental or hotel accommodation. Expenses relating to accommodation that is owned by a Member or the spouse or relative of a Member will not be reimbursed.

Members are encouraged to lease furnished apartments, however, with the approval of the Board, Members may use residual room in their Capital Accommodation Allowance to purchase furniture for their rental accommodation. Furniture will be purchased by the Legislative Assembly and the cost will be charged to the Member's Capital Accommodation Allowance over a period not greater than the Member's remaining term in the current Legislative Assembly.

The furniture is the property of the Legislative Assembly. Members' and Precinct Services will work with each Member to factor a cost of living contingency when calculating the residual room to consider reasonable rent or lease fee increases. Should expenses exceed the allowable allowance due to increases in rent or lease costs, the Member can request the Board approve these additional costs.

Members are not permitted to sublet any portion of a rental accommodation that is partially or wholly reimbursed from the Member's Capital Accommodation Allowance.

Members should note that each agreement for rental or hotel accommodation is between the Member and the landlord or hotel. The Legislative Assembly is not a party to any such agreement and any obligations entered into are the responsibility of the Member. Any damage to hotel or rental property is the responsibility of the Member and not the Legislative Assembly.

A Member may request that an expense be paid directly to the person to whom the payment is owed. Where an expense is normally prepaid, the Member can claim reimbursement or request direct payment at the time the payment is due. In either case, the appropriate supporting documentation (a receipt, invoice, copy of the rental agreement, etc.) must be provided to Members' and Precinct Services before the claim or request will be processed.

## **75. CAPITAL EXPENSE ALLOWANCE**

Members who do not live within commuting distance of the capital are eligible to receive an annual allowance. As a non-taxable, non-accountable allowance, no proof of expenses is required for payment. The allowance will be paid directly to Members on a monthly basis.

The Capital Expenses Allowance is intended to cover the following expenses while in the capital on constituency business or business as a Member:

- Meals and incidental expenses
- Local ground transportation expenses
- Basic household expenses associated with maintaining a temporary residence in the capital

Eligible Members will receive this allowance once they have sworn a Statutory Declaration of Residence. Eligible Members will be paid this allowance retroactive to polling day.

The Capital Expense Allowance will be automatically adjusted each year to the average percentage increase or decrease in the Canadian Consumer Price Index (CPI) for Canada in the previous five years.

## **76. RELOCATION COSTS**

Members who establish secondary residences may be reimbursed for relocation costs from their principal residence to their secondary residence, and back to their principal residence when they cease to hold office. The reimbursement amounts are the same as those provided to senior managers in the public service.

## **77. RENTAL ACCOMMODATION ARRANGEMENTS**

Members' and Precinct Services will pay rental accommodation directly to the landlord on a monthly basis. A copy of the lease must be filed with Members' and Precinct Services and it is the obligation of the Member to notify Members' and Precinct Services immediately if the lease is amended or terminated.

A Member may also request that the amount required for a damage deposit be advanced from their Capital Accommodation Allowance and be reimbursed to the Member or paid directly to the landlord. The damage deposit will be recovered through payroll deductions in equal payments over six months.

Members are encouraged to include a one-month termination clause in all rental accommodation agreements. When the resignation, death or expulsion of a Member occurs, reimbursement under the Capital Accommodation Allowance would be made for the rental or hotel accommodation, and any other authorized expenses, for the month following the month in which the eligibility ceases, if the Member were obligated to make those payments under a lease or other contract. This provision does not include reimbursement in cases where the Member has depleted their Capital Accommodation Allowance or has had a change in their residency status.

If a Member who has established a secondary residence later sells or gives up the lease on their principal residence, the Member's eligibility for the Capital Accommodation Allowance ends 30 days after the sale of the principal residence or the day the lease ends, whichever applies.

### **77.1 ELECTION YEAR**

In an election year, eligibility for reimbursement under the Capital Accommodation Allowance ceases on the day the Assembly is dissolved. However, the Legislative Assembly will reimburse Members for the lease cost and allow the Member to continue to access their rental accommodation during the election period on the condition that it is not used for election campaign purposes and the amount of the reimbursement is not greater than 1/12 of the annual Capital Accommodation Allowance.

Effective polling day, those Members who are re-elected or acclaimed, are again eligible for reimbursement under the Capital Accommodation Allowance, provided they swear a Statutory Declaration of Residence.

Those Members who do not seek re-election or who are not re-elected, will be allowed a grace period to vacate their accommodation.

They will be allowed to access the Capital Accommodation Allowance up to the end of the month following the month in which their eligibility ceases. For those Members who do not seek re-election, the date eligibility ceases is the close of nominations. For those Members who are not re-elected, the date eligibility ceases is polling day.

The exception to this would be in the case of a Member of the Executive Council not seeking re-election or not being re-elected. In that case, the date eligibility ceases is when they are replaced in their role as a Member of the Executive Council. The monthly maximum reimbursement during this period will not exceed 1/12th of the annual Capital Accommodation Allowance.

## **78. FINANCIAL INTEREST**

Under the *Legislative Assembly and Executive Council Act* and the *Indemnities, Allowances and Expense Regulations*, Members will not be reimbursed for any accommodation expenses when certain persons have a financial interest in the rental or hotel accommodation agreement for which a Member is seeking reimbursement.

### **78.1 SPOUSE OF RELATIVE OF ANY MEMBER**

If any Member, or the spouse or relative of any Member, has a financial interest in the agreement, or in a corporation that has a financial interest in the agreement, expenses incurred under the agreement will not be reimbursed. This applies if the Member knew, or ought reasonably to have known, of the existence of that person's interest. An interest in a corporation that provides a public utility or cable television or that is listed on a Canadian stock exchange is not deemed to be a financial interest.

The definition of "spouse" under the *Legislative Assembly and Executive Council Act* includes persons who are cohabiting outside of marriage.

Under the Indemnities, *Allowances and Expense Regulations*, a 'relative' of a Member is:

- A child, grandchild, brother, sister, parent or grandparent of the Member or of the Member's spouse; and
- The spouse of any of the above persons.

The Regulations sets out the circumstances in which a person will be considered to have a financial interest in an agreement. The term "financial interest" encompasses both a direct interest and a beneficial interest in the agreement.

#### **Example**

A Member of the Legislative Assembly stays in a hotel in the capital owned by their father-in-law. The father-in-law is a relative of a Member and has a direct interest in the hotel accommodation contract. The Members claim for reimbursement of his accommodation expenses will be denied.

### **78.2 FINANCIAL INTEREST IN THE CONTRACT OR ARRANGEMENT**

The term "financial interest in the contract or arrangement" also includes a beneficial interest in real property (land and buildings) where the real property is the subject matter of the contract or arrangement.

#### **Example**

Sandy is the owner of a house in the capital. He is also the brother of a Member of the Legislative Assembly. Sandy rents the house to Oliver, who is neither a Member of the Legislative Assembly, nor related to a Member of the Legislative Assembly. Oliver, in turn, then rents the house to the Member (brother of Sandy). Although Sandy is not a party to the rental contract and does not have a beneficial interest in the contract, he does have an interest in the house which is the subject matter of the

rental contract. As a result, the Members claim for reimbursement of rental expenses will be denied.

### **78.3 FINANCIAL INTEREST IN A CORPORATION**

The term 'financial interest in a corporation' includes both an interest in shares and an interest in the debt of a corporation, other than a public corporation or a corporation that provides a public utility or cable television service.

#### **Example 1**

A Member of the Legislative Assembly has transferred their shares in a real estate development company, Realco, to a blind trust. Realco owns a hotel in the capital. The Member stays at the hotel owned by Realco when they are in the capital. The Member holds a beneficial interest in the shares of a corporation that has a financial interest in the hotel accommodation contract. As a result, the Members claim for reimbursement of hotel accommodation expenses will be denied.

#### **Example 2**

A Member of the Legislative Assembly has rented furniture for their apartment in the capital from a local furniture rental company, Reco. The Member's son has recently invested in Reco through a bond. The Member's son has an interest in the debt of a corporation that has a financial interest in the furniture rental contract. As a result, the Members claim for reimbursement of furniture rental expenses will be denied.

In order to avoid the risk of being denied reimbursement for an accommodation expense, Members should seek advice from the Clerk, Law Clerk or Integrity Commissioner if there is any doubt as to whether a spouse or relative of any Member has a financial interest in an accommodation agreement.

## 79. EXPENDITURE MANAGEMENT

Members will receive a monthly statement showing the expenses that have been charged against their Capital Accommodation Allowance to date and commitments made to the fiscal year end.

Interim statements will be provided upon reasonable request and Members may contact Members' and Precinct Services at any time to request the current balance in their Capital Accommodation Allowance.

A Member who exceeds their Capital Accommodation Allowance at any time, in any fiscal year, will be personally responsible for the excess expenditures. Where money is owed to the Legislative Assembly, the Member must reimburse the Assembly by issuing a personal cheque payable to the Government of Northwest Territories or the full amount of the expenditure will be recovered from the Member's indemnity or set off against any other entitlements due to the Member or former Member.

## 80. TABLING OF REPORT

Each fiscal year, the Speaker must table in the House a detailed report identifying the total amounts paid to each Member in the previous fiscal year from the Capital Accommodation Allowance. The report will detail the types of expenses reimbursed and the amounts paid.

# TRAVEL EXPENSE

## 81. TRAVEL ON BUSINESS AS A MEMBER

As set out in the *Legislative Assembly and Executive Council Act*, a Member is deemed to be on business as a Member when they travel to a place to:

- Attend a sitting of the Legislative Assembly.
- Attend a meeting of a Standing or Special Committee of the Legislative Assembly, of which they are a Member.
- Attend a meeting of the Board, of which they are a Member.
- Attend a general meeting for all Members of the Legislative Assembly.
- Perform an assignment given to the Member by the Legislative Assembly or the Speaker.
- A Member of the Executive Council is on business as a Member where they are in, or travels to, a place to attend a meeting of the Executive Council, or to attend a meeting of a committee of the Executive Council, of which they are a member.
- A Member of the Financial Management Board is on business as a member where they are in, or travels to, a place to attend a meeting of the Financial Management Board.

A Member will be reimbursed for the actual and reasonable costs incurred during travel between the Member's residence and the place they must attend to conduct business as a Member. A Member is not eligible for reimbursement of travel expenses if the meeting is held in their community of residence.

When a Member travels on business as a Member, arrangements are generally made and paid for directly by Legislative Assembly staff. Travel is arranged in the most cost-

effective and economical manner. Air travel must be by the most direct route to and from the travel location, unless Legislative Assembly staff approves an alternate route.

### **81.1 BUSINESS CLASS**

Where continuous travel is scheduled to exceed eleven hours, the Member may be permitted to travel business class if authorized in advance on the Travel Authorization. Members may travel business class when total in-flight duty travel time exceeds four hours.

### **81.2 PERSONAL TRANSPORTATION**

A Member who travels using his or her own transportation will be reimbursed the lesser amount of the following:

- The prevailing higher tier Federal Treasury Board rate per kilometre for Government of Canada employees. This rate remains the same regardless of the kind of vehicle used (i.e. snowmobile, car, boat or airplane, which is owned or rented by the Member); or
- The cost of the most economical return airfare. Air travel will be by scheduled air service. Aircraft charters will only be used when more economical travel is not available or is impractical. Legislative Assembly staff will arrange all air charters.

## **83. AIR CHARTERS**

If a charter is immediately necessary and cannot be arranged by Legislative Assembly staff, substantiation outlining the circumstances must be provided to Members' and Precinct Services before a claim for reimbursement or request for direct payment will be processed. A Member arranging an aircraft charter must determine which aircraft charter company is the most economical and practical and look for opportunities to share charters in order to reduce costs.

Where arrangements are made in advance, nongovernment passengers and/or goods may join a charter arranged by a Member provided that:

- No threat to the public interest could arise as a result.
- The air charter supplier agrees.
- All expenditure officers, duty traveler's and Government goods shippers agree.
- The non-government party has agreed in writing to pay the carrier for the costs or portion thereof when their reason for travel is not for government business purposes or in the public interest.
- Where the non-government party does not pay the carrier or pays less than their share and the trip is not in the public interest or for government business then a taxable benefit is deemed to accrue to either the non-government party or the Member who authorized the travel.
- If the Member stands to personally benefit by authorizing the travel (e.g., the passenger is a friend or relative) a taxable benefit will accrue to the Member; otherwise, the T4A must be issued to the non-government traveler (in either case, GST would have to be paid on the assessed value of the trip);
- Any payment from the non-government party is to be made to the carrier and not to the Legislative Assembly
- Where the travel of the incidental passenger is for government business or in the public interest, no costs are payable by the passenger, nor will there be a taxable benefit deemed to be created for the Member authorizing the travel. However, a Grant-in-kind and GST implications must be considered, and the Member must pay the GST on the value of the Grant-in-kind.

- The Legislative Assembly assumes no additional liability. When calculating a taxable benefit, the equivalent regular commercial economy airfare for a regularly scheduled flight to the same destination is used. If a regularly scheduled flight does not exist, the average cost per seat of a charter flight shall be used.

In cases where arrangements have not been made in advance to have a passenger join a charter, a Government employee or a Minister must authorize the travel.

The Legislative Assembly will not bill other parties on a Member's behalf for shared aircraft charters. If this does occur, the Member will be held personally responsible for all charges associated with the charter. Due to significant liability issues, it is important that Members follow the above instructions when arranging aircraft charters.

These restrictions do not apply to:

- A Member's Constituency Assistant if they are traveling with the Member to assist them with constituency business.
- A Member's spouse, if the spouse is accompanying the Member on constituency business and there is no additional cost for the spouse to join the charter and the spouse travels to and from the destination with the Member.

Members will not be reimbursed for expenses if they serve as a pilot, operator or member of the crew of a privately owned aircraft that is not owned or rented by the Member.

Members should note that restrictions regarding air charters apply equally to travel while on business as a Member and to constituency travel.

## 84. CHANGES TO TRAVEL ARRANGEMENTS

A Member who wishes to upgrade the class of travel, change, or cancel non-refundable reservations, must have a compelling reason to do so and may be personally responsible for any additional charges associated with these changes.

Members are also personally responsible for any additional costs incurred, including personal business with travel as a Member. The Clerk of the Legislative Assembly is authorized to determine whether a compelling reason exists to allow travel changes. The Clerk's decision may be appealed to the Board.

## 85. ACCOMMODATION

If a Member is traveling from their community of residence to Yellowknife on business as a Member, accommodation expenses will be reimbursed under the Capital Accommodation Allowance. Meals and other incidental expenses are reimbursed under the Capital Expense Allowance.

A Member traveling from their community of residence to a place other than the capital on business as a Member, will be reimbursed the actual and reasonable cost of hotel accommodation and will be eligible for an allowance to cover meals and incidental expenses at the current Federal Treasury Board Rate.

Where a Member travels to a place for business that is also the location of their principal residence, the Member is not eligible for reimbursement for accommodation costs if the principal residence is available for their use.

A Member may also be reimbursed for non-commercial overnight accommodation while travelling on business as a Member, in the amount set by the Treasury Board of Canada as the daily rate payable in the Northwest Territories. Members must produce a receipt to be reimbursed.

A claim for reimbursement under this section is allowed, notwithstanding the provisions of the Legislative Assembly and Executive Council Act regarding financial interest by family members. Members will not be reimbursed for the cost of accommodation at a facility owned by their family, their spouse's family, a Member, or the family of a fellow Member.

## 86. LAUNDRY EXPENSE

The following expense may be reimbursed for Member's travel away from their ordinary residence and the Capital on committee, Board, or constituency business:

- Laundry expenses after five days of travel and every five days thereafter.
- Dry-cleaning expenses after five days of travel and every five days thereafter.

Expenses will only be reimbursed upon production of receipts and for what would reasonably be assumed to be the clothing required for the duration of the trip.

## 87. COMBINING PERSONAL BUSINESS WITH DUTY TRAVEL

Any additional costs incurred for including personal business, including travel, with travel authorized under the *Legislative Assembly and Executive Council Act*, or its Regulations, will be the personal responsibility of the Member.

## 88. SESSIONAL DESIGNATE TRAVEL ENTITLEMENT

During a sitting of the Legislative Assembly, each Member is entitled to be reimbursed for the actual and reasonable cost of return transportation for the Member's spouse, or another person designated by the Member, between the place of the sitting and the Member's ordinary residence providing that both are at the place where the sitting is being held at the same time for at least **one entire sitting day**.

This entitlement may be used for travel by a Member's Constituency Assistant between the place of the sitting and a community within the Member's constituency other than the place in which the Member lives.

## 89. TWO WEEKEND TRAVEL ENTITLEMENT

Where a Member is required to attend a sitting or meetings of a committee of the Legislative Assembly over a continuous period that includes **at least two weekends**, the Member is entitled to be reimbursed for the actual and reasonable cost of return transportation for either the Member, the Member's spouse, or a person designated by the Member, to travel between the Member's ordinary residence and the place of the sitting or the meetings. This entitlement allows for one trip for every second weekend that falls within the continuous period of sittings or meetings.

The entitlement may also be used for travel by a Member's Constituency Assistant between the place of the sitting or meetings and a community within the Member's constituency other than the place in which the Member lives.

Members are not permitted to accrue this travel entitlement.

## 90. HOME TRAVEL ENTITLEMENT

Members deemed to reside outside the commuting distance of the Capital are eligible for reimbursement for return transportation between the Capital and their place of residence for a maximum of **five trips per year**.

Travel must originate in the place where the Member lives or in the Capital where the Member is on business as a Member. Travel can only be taken by the Member when on business, or by a family member who lives in the Member's ordinary residence and can only be taken when the Member is in the Capital on business as a Member. Family



members are defined in this section as a spouse, a partner or a dependent of the Member.

In the fiscal year in which a general election is held, Members will be reimbursed for two trips in the months leading up to an election and for three trips in the months following an election. Adjustments to allowable trips, not exceeding the maximum allowed, will be made if the dates of an election are significantly changed.

## 91. TAXABLE BENEFIT

### 91.1 NON-TAXABLE

The following travel is not taxable:

- Travel by Members to perform their duties.
- Travel by a spouse, family member or person designated by the Member to attend a parliamentary function is not a taxable benefit.
- Parliamentary functions are defined as duties and activities directly related to the position of the Member of the Legislative Assembly and include swearing-in ceremonies, the opening of a new Session, prorogation, the dissolution of a Legislative Assembly or attendance at a function hosted by the Speaker or Commissioner and to which the spouse is invited. It does not include constituency business or business related to the private business or personal interests of any person.
- Where the “sessional designate” entitlement is taken, the payment or reimbursement of travel expenses will not be administered as a taxable benefit because the traveler is required to be in the Capital for at least one day of Session and it is expected that they will attend Session.

- In the event the “two weekend travel” or “home travel” entitlement is taken to attend or participate in a parliamentary function with the Member, the Member may notify Members’ and Precinct Services that the entitlement should not be treated as a taxable benefit. The Member must provide evidence of the duties carried out by the spouse, family member or person designated by the Member, and, in the absence of documentary evidence, a Statutory Declaration by the Member will be required.

### 91.2 TAXABLE

The following travel is taxable:

- Where the “two weekend travel” or “home travel” entitlement is taken, a taxable benefit in the amount of the travel costs will be deemed to accrue to the Member and they will receive a T4A in the calendar year.

## 92. TRAVEL BY OTHER PERSONS

Except in circumstances expressly permitted in legislation, regulation or this Handbook, Members are not entitled to reimbursement for any expense associated with the attendance of a spouse, or any other individual other than the Member’s Constituency Assistant, on travel with a Member on either constituency business or business as a Member.

Members will be responsible for all costs incurred by a traveling companion, including any extra registration and meal costs when a spouse or other person attends a conference or meeting with a Member.

## CONSTITUENCY WORK EXPENSE ALLOWANCE

### 93. ALLOWABLE EXPENSES

**Constituency work** is defined as:

- Any work directly connected with a Member's responsibility as a Member in relation to the ordinary and proper representation of members of the public.
- It does not include work performed in the course of their attendance at a sitting or general meeting of the Legislative Assembly, work performed as a member of a committee of the Legislative Assembly or of the Board, or work as a Member of the Executive Council, or work performed in the course of an assignment given by the Legislative Assembly or the Speaker.

A **Constituency meeting** is defined as:

- A meeting that is organized and attended by the Member for the purpose of consulting with their constituents.
- Is open to all constituents without a fee.
- Is in a community within the Member's constituency.
- Takes place at a venue booked by the Member or their Constituency Assistant.
- Is advertised within the community where the meeting will take place.

Members are encouraged to refer to the *Indemnities, Allowances and Expense Regulations* for a detailed list of items which may be reimbursed under this allowance. Members' and Precinct Services should be consulted prior to a Member making a purchase from the Constituency Work Expense Allowance as they will provide assistance with procurement procedures and will obtain competitive prices.

### 94. RESTRICTIONS APPLICABLE TO CONSTITUENCY WORK EXPENSE

Expenses that are specifically ineligible for reimbursement under the Constituency Work Expense Allowance include:

- Anything that uses or includes any word, initial, colour or device that identifies a political party.
- Artwork, including paintings, prints, sculptures, carvings and crafts, unless they are purchased as items to mark special occasions or presentation items.
- Sponsorship of individuals or groups.
- Raffle tickets.
- Donations or gifts to local organizations or individuals including the purchase of items at charity auctions or similar fundraising events.
- Travel outside of Canada.

In the year of a general election, the Board may place additional restrictions on items for which Members may be reimbursed from their Constituency Work Expense Allowances.

### 95. ADVERTISING

Members may choose from the following advertising formats:

- Newspapers, Magazines.
- Radio – must include means of contacting Member.
- Television (still image).
- Social media.
- Posters – restricted to 11"x17".
- Third party not-for-profit publications such as calendars and programs.

Any of the above can originate outside the NWT, provided the Member can demonstrate that the advertisement will also be circulated within his or her constituency.

Two or more Members who represent the same community may share advertising costs. These advertisements must contain some form of contact information.

Advertisements **must** include:

- Member's name and electoral district.
- Member's contact information – Legislative Assembly owned phone number, email address and/or website/ social media account.
- Adhere to the Legislative Assembly Visual Identity Standards and branding

Advertisements **may** include (but not required):

- Constituency Office address.
- Legislative Assembly address.
- Member's picture.
- Non-commercial organization's logo or trademark provided express permission has been granted.

Advertisements **are not allowable** if they include the following:

- Reference to a political party including political party name, logo, activities, fundraising.
- Soliciting contributions or donations in any form, and for any group or individual.
- Identify the Member's sponsorship of events, individuals or groups.
- Information related to a commercial organization.
- Recognition of individuals who are not constituents.
- Reference to a Member's re-election campaign.
- Reference to the election of any candidate or party, in any public Election.
- Reference to private business interests of any Member of the Legislative Assembly.

- Content that disparages any political position or Member.
- Information regarding public events that are taking place outside of the NWT.

### 95.1 SIGNAGE

Members may purchase signage to be used at events at which the member is present.

Signage **must**:

- Be pre-approved by Members' and Precinct Services.
- Comply with Legislative Assembly Visual Identity Standards and branding.
- Comply with advertising policies.
- Be mobile or temporary.

#### Example

Acceptable signage are banners or sandwich boards, but not billboards. There are no restrictions on size, materials or design.

## 96. NEWSLETTERS AND PRINTED MATERIAL

Members may be reimbursed from the Constituency Work Expense Allowance for the production and delivery of newsletters and other printed material for distribution to constituents. Members may pay not-for-profit groups up to \$1000 per community to deliver Christmas cards, Newsletters and other printed material, unless delivered via Canada Post.

Members may also be reimbursed for the cost of purchasing information to be included in the Member's newsletter, up to a maximum value of \$200 per item.

## 97. PROMOTIONAL ITEMS

Members may access their Constituency Work Expense Allowance to purchase promotional items intended to facilitate communication between the Member and their constituents. The spirit and intent of promotional items is that a Member hands these out personally to constituents, or is present at the event where they are being handed out (i.e. constituency meetings, community events).

Members may purchase promotional items that fall within the following categories:

- Mouse pads
- Calendars
- Refrigerator magnets
- Office note pads
- Beverage containers (coffee mugs, glasses, water bottles, thermos bottles)
- Pens
- Key chains
- Hats (baseball hats, touques)
- Calculators
- Tote bags
- USB keys
- Blankets
- Picnic kits
- Promotional stickers.

Members may seek Clerk approval for items not specifically listed.

All promotional items shall adhere to the Legislative Assembly Visual Identity Standard and branding and **must** include:

- The Member's contact information on the surface of the item itself.

- The contact information may include the Member's name, constituency, and Legislative Assembly owned telephone number(s), including the toll-free Legislative Assembly telephone number, e-mail address, mailing address or website address.

Promotional items shall not exceed:

- \$25 per item if manufactured outside of the Northwest Territories
- \$35 per item if manufactured within the Northwest Territories. This includes items carried by the Legislative Assembly promotional items.

Members should note that the cost of embossing is included in the above monetary limits.

A Member may purchase promotional items which do not fall into the above-listed categories and do not include contact information only if the item is valued under \$5.

Members may also choose to produce Christmas cards or calendars. Members should be aware that the production of cards and calendars generally takes at least four weeks. Any requests for assistance by Public Affairs and Communications for Cards or Calendars must be received by November 10<sup>th</sup> of each year.

A Member shall not use more than 15% of their Constituency Work Expense Allowance for the purchase of any of the promotional items listed in this section.

## 98. SPECIAL OCCASION ITEMS

Members may purchase and be reimbursed for items to present to constituents to mark special occasions. Special occasions constitute a significant event or achievement in the constituent's life. Special occasions must clearly fall within one of the following categories:

- 50<sup>th</sup> wedding anniversary and every fifth anniversary thereafter.
- 80<sup>th</sup> birthday and every fifth birthday thereafter.
- Graduation from high school and post-secondary educational or training programs lasting more than one year and which result in a professional designation, university degree, college diploma, trade certification or ticket.
- Territorial, national or international award presented to an individual constituent by a credible and recognized institution.
- Territorial, national or international athletic championship or award won by or presented to an individual constituent by a credible and recognized athletic organization.
- Award presented to a constituent who is being recognized by their community for their achievements.
- Death of a constituent.
- Retirement after 20 years or more of employment in the Northwest Territories.

Special occasion items are limited to **\$250 per item** and must be appropriate to the accomplishment being recognized.

- These items are not intended to defer costs.
- Should hold no monetary value to the recipient.
- Intended to be purely symbolic in nature.

- Allowable items would include wreaths, flowers, plaques, certificates, scrolls, backpacks, briefcase and locally made jewelry and crafts.
- Members may seek Clerk approval for items not specifically listed.

The item must be accompanied by a card or letter from the Member recognizing the special occasion. It is not necessary that the Member present the item to the constituent personally. A Member may not present these items to a relative. A Member may not maintain an inventory of such items.

## 99. PRESENTATION ITEMS

Presentation items are limited to **\$300 per item**, and are presented to groups of constituents, or organizations within the Member's constituency, to commemorate significant events, such as:

- The opening of a school or other prominent facility in the Member's constituency
- A community, territorial, national or international award or achievement.
- Presentation items may also be presented to visiting territorial, national and international dignitaries as a matter of protocol.

Items should allow for permanent display in a public place within the Member's constituency (e.g. plaques or framed photographs). They are not intended to defer costs for a group or organization, should hold little or no monetary value to the recipients, serve no practical purpose and should be symbolic in nature.

The item must be accompanied by a card or letter from the Member recognizing the nature of the occasion. Presentation items must be presented to recipients directly by the Member or the Member's Constituency Assistant. A Member may not maintain an inventory of such items.

## 99.1 FLAGS

The Legislative Assembly will provide, on request, up to 5 full-sized territorial flags per year. The Member may present a flag to groups of constituents, or organizations within the Member's constituency. Members may not carry over the balance of flags from one fiscal year to the next and Public Affairs and Communications will bear the costs of these flags. In an election year, the same proportion as determined in Constituency Tours and Home Travel is applied.

Each territorial school is allocated a budget for flags and are encouraged to use this budget rather than asking a Member for one of theirs.

The GNWT Chief of Protocol office has territorial flags to loan to groups. Contact the office of the Chief of Protocol for more information on the flag loan program.

## 100. CONTRIBUTION TO A COMMUNITY FEAST OR EVENT

Updated: May 7, 2024

A Member can contribute up to a maximum of \$500 to a community feast or event if each of the following criteria is met:

1. The event that takes place within a Member's constituency or community that is not organized by the Member.
2. Is open to all constituents.
3. Is free of charge or requires participants to pay only a nominal fee for participation.

For the purposes of this policy, N'dilo is designated as being a part of the community of Yellowknife. Accordingly, Yellowknife Members are permitted to contribute to feasts or events that take place in N'dilo.

## 101. EXPENSES RELATED TO CONSTITUENCY MEETINGS

Members may be reimbursed for expenses incurred to rent a facility for a constituency meeting, as defined above. Associated costs, include the bulk purchase of food, non-alcoholic beverages, and other supplies for a constituency meeting and advertising.

### 101.1 MEETING WITH ELECTED OFFICIALS

Members may be reimbursed under the Constituency Work Expense Allowance for meal expenses, not including alcoholic beverages, related to meetings with a group of two or more elected leaders from a Member's constituency, either in the constituency or in the capital.

## 102. RESOURCE EXPENSES

Members may be reimbursed for costs associated with:

- Research services.
- Writing services.
- Interpretation services.
- Translation services
- Relevant professional services.
- Newspaper subscriptions.
- Magazine subscriptions
- Registration fees for conferences and courses, providing such conferences or courses do not relate to a degree or diploma program.
- Registration fees for conferences or courses attended by Constituency Assistants are an allowable expense as long as the event occurs online, in the Member's constituency or in the Capital.

### **103. COMPUTER HARDWARE AND SOFTWARE**

Computer hardware (desktops, laptops and tablets) and software licenses supplied to a Member by the Legislative Assembly will be purchased through the Technology Service Centre (TSC) by Members' and Precinct Services. The Legislative Assembly will provide all Members and Constituency Assistants with a personal computer system.

Members may purchase additional computer hardware and software from their Constituency Work Expense Allowance. Members' and Precinct Services will facilitate these purchases through the TSC. Only government owned computer hardware and software will be allowed access to the government network and will be supported by the TSC.

### **104. MEMBERSHIP IN COMMUNITY ORGANIZATIONS**

Members may be reimbursed from the Constituency Work Expense Allowance for membership fees in community or other organizations if the organization, or a chapter of the organization, is located within the Member's constituency and membership in the organization would assist the Member in the fulfillment of their duties. Membership fees in service organizations, such as the Legion, Elks or Rotary, are not allowable expenses.

### **105. VEHICLE LEASE OR RENTAL**

A Member wishing to use their Constituency Work Expense Allowance to lease or rent a vehicle for constituency travel, outside of their home community or the Capital, must keep accurate records of the actual use of the vehicle for constituency travel and for personal travel. A claim for reimbursement for a vehicle lease and insurance will only be processed when the Member advises the percentage of the vehicle use that is constituency related and that which is personal.

Members should note that a vehicle lease will not be considered a Constituency Work Expense and the lease expense will not be reimbursed if a benefit accrues to the Member as a result of the lease. Costs associated with the lease or rental of a vehicle for use by the Member within their community of residence will not be reimbursed.

### **106. DOOR PRIZES**

Members may provide door prizes at events organized by the Member or at events sponsored by others, provided that the door prize meets the definition of a promotional item as set out in this Handbook.

### **107. FINANCIAL INTEREST**

Members will not be reimbursed for a constituency work expense when certain persons have a financial interest in the contract or other arrangement under which the expense was incurred, unless the reimbursement is specifically approved by the Board in advance of the expenditure being incurred.

If any Member, or the spouse or relative of any Member, has a financial interest in the arrangement, or in a corporation that has a financial interest in the arrangement, expenses incurred under the arrangement will not be reimbursed. Financial interest encompasses both a direct interest and a beneficial interest in the contract or arrangement. This applies if the Member knew, or ought reasonably to have known, of the existence of that person's interest.

"Spouse" under the *Legislative Assembly and Executive Council Act* means a person:

- Who is married to a Member unless the Member and that person are separated.
- Who, together with a Member, entered into a marriage that is voidable or void, in good faith unless the Member and that person are separated

- Who is cohabiting outside marriage with a Member, if:
  - » The person and the Member have cohabited for a period of at least two years.
  - » The person and the Member have cohabited in a relationship of some permanence and are together the natural or adoptive parents of a child.
  - » The Member represents the person as a spouse.

“Relative” under the Indemnities, Allowances and Expense Regulations includes:

- A child, grandchild, brother, sister, parent or grandparent of the Member or of the Member’s spouse; and
- The spouse of any of the above persons.

### Example

A Member rents a facility from Sam for the purpose of holding a constituency meeting. Sam has no relation to the Member. However, the Member is aware that Sam holds the property on trust for Alice. Alice is the daughter of another Member of the Legislative Assembly. Alice has a beneficial interest in the contract pursuant to which the expense was incurred. As a result, the Member’s claim for reimbursement of the facility from Sam will be denied, unless approval of the Board has been obtained.

Financial interest in a corporation encompasses both an interest in shares and an interest in the debt of a corporation, other than a public corporation or a corporation that provides a public utility.

### Example

A Member purchases her constituency office supplies from a local office supply company, Officeco. Bob, also a Member of the Legislative Assembly, holds a minor interest in the shares of Officeco. The Member is completely unaware and has no way of knowing that Bob has an interest in the shares of Officeco. The Member’s claim for reimbursement of her office supply expenses will be allowed. If, on the other hand, the Member was aware or should have been aware of Bob’s interest in the shares of Officeco, her claim for reimbursement of office supply expenses would be denied, unless approval of the Board had been obtained.

Members should seek advice from the Clerk or Law Clerk if there is any doubt as to whether a spouse or relative of any Member has a financial interest in an agreement relating to constituency work. Otherwise, Members may risk being denied reimbursement for the constituency work expenses.

## 108. EXPENDITURE MANAGEMENT

Members will receive an expenditure management statement monthly. The statement will list all expenses that have been incurred year-to-date and all commitments that have been made up to the fiscal year end (March 31) against the Constituency Work Expense Allowance. Interim statements will be provided upon reasonable request. Members may contact Members’ and Precinct Services at any time to request the current free balance in their Constituency Work Expense Allowance.



### 108.1 EXCEEDING CONSTITUENCY WORK EXPENSE ALLOWANCE

Members are responsible for managing their Constituency Work Expense Allowance and for ensuring it is not exceeded. A Member who exceeds their Constituency Work Expense Allowance at any time will be personally responsible for the excess expenditure.

Where money is owed to the Legislative Assembly, the Member must reimburse the Assembly in the full amount, or the over-expenditure will be recovered from the Member's indemnity or set off against any other entitlement due to the Member or former Member.

### 109. CONSTITUENCY EXPENSE PAYMENTS

Requests to buy goods or services under the Constituency Work Expense Allowance must be made to Members' and Precinct Services. Upon receipt of an invoice for goods or services and with the Member's approval, Members' and Precinct Services will pay the supplier directly.

Where a Member has incurred a constituency work expense personally, they must submit a request for reimbursement to Members' and Precinct Services. The request must be supported by the original receipt. If the receipt is unavailable, the Member must swear a Statutory Declaration in support of the missing receipt.

To ensure that current year expenses are paid against the current year allowance, invoices and reimbursement of expenses must be submitted by the year-end deadline. However, in certain circumstances, a Member may request payment for an old year invoice, provided that expenses are allowable and that the Member had adequate funds in their Constituency Work Expense Allowance to cover the expense in the appropriate fiscal year.

Requests for the payment of old year invoices not exceeding \$1,000 may be approved by the Clerk of the Legislative Assembly. Requests for the payment of old year invoices in excess of \$1,000 must be approved by the Board. An old year charge that has not been accrued and is subsequently approved by the Clerk or the Board will be charged to a Member's new year allowance.

### 110. TABLING AND INSPECTION OF CONSTITUENCY EXPENSES

The *Legislative Assembly and Executive Council Act* requires the Speaker to table, in each fiscal year, a detailed report for each Member showing the total amount paid under the Member's Constituency Work Expense Allowance, a breakdown of the types of expenses for which reimbursement was paid and the amount that was paid. The itemizing of expenses will include, but is not limited to, the following expenses:

- Travel and transportation including details on travel outside the Northwest Territories.
- Materials and supplies including detail on the amounts spent on promotional items, special occasion items and presentation items.
- Purchased services including details on contributions to community feasts and events.
- Contract services.
- Fees and payments.
- Computer hardware and software.
- Constituency Assistants.

Under the *Indemnities, Allowances and Expense Regulations*, any person may inspect and obtain a copy of a claim for reimbursement or the documentation relating to a direct payment that was made under a Member's Constituency Work Expense Allowance within the previous five years.

The Clerk, as soon as is reasonably practical after receiving such a request, will notify the relevant Member.

Before allowing a person access to constituency work expense claims or documentation, the Clerk will strike out any private information on the documents that is unrelated to the claim. As well, a Member may apply to the Board for a direction that certain information not be made available for inspection or copying if it would reasonably be expected to pose a threat to the security of any person.

## **111. PROPERTY INVENTORY AND DISPOSAL**

Each Member is required to account annually for all property that has been provided to them by the Legislative Assembly or for which the Member has been reimbursed from their Constituency Work Expense Allowance. Members' and Precinct Services will maintain an inventory of each Member's property and will update it as required.

### **111.1. LOST OR STOLEN ITEMS**

Lost or stolen items must be reported immediately to Members' and Precinct Services. In the case of an item presumed stolen, the Member is also required to report the incident immediately to the appropriate law enforcement agency. In addition, Members are required to complete a Statutory Declaration stating that the item has been lost or stolen, a description of any efforts made to retrieve the item, RCMP report number and confirmation that the item, if found, will be returned to the Legislative Assembly.

### **111.2 DISPOSAL**

If a Member wishes to dispose of or have removed from their inventory, for any reason, items under the purchase value of \$500, they must do so by notifying Members' and Precinct Services.

In order to write-off and dispose of items exceeding \$500 in value, Members are required to request the approval of the Board. Reasons for disposal or deletion of an item may include breakage or obsolescence or that the Member no longer has use for the item. The following process should be followed:

- Contact Members' and Precinct Services to determine the value of the item for disposal.
- If the item for disposal is below \$500, direction will be provided to the Member for the return or disposal of the item.
- If the item exceeds \$500 in value the Member will compose a letter addressed to the Board and forward to the Clerk of the Legislative Assembly requesting the Clerk place the matter before the Board for decision.
- The request must identify the item to be disposed of or deleted from the Member's inventory as well as the reason for the request. Members' and Precinct Services can help prepare the submission on request.
- Once the Board has approved a request for disposal or deletion, the Member must either return the item to the Legislative Assembly or dispose of it according to the direction of the Clerk.
- An item that has been returned or disposed of will be removed from the Member's inventory.

### 111.3 PURCHASE PROPERTY

A Member may not purchase any property provided by the Legislative Assembly or reimbursed through the Member's Constituency Work Expense Allowance and Capital Accommodation Allowance except under the circumstances listed below:

- If a Member is defeated in an election or does not seek re-election, the Member may purchase property acquired through the Constituency Work Expense Allowance and the Capital Accommodation Allowance, provided that such property was purchased not less than one year prior to the election. The cost of this inventory will be calculated using the Classes of Depreciable Property rates provided by the Canada Revenue Agency (CRA).
- If a Member moved from their home community to the Capital during the term of an Assembly, they may purchase furniture that has been acquired through the Capital Accommodation Allowance. The cost of this furniture will be calculated using the CRA Classes of Depreciable Property rates.

In the event a Member does not seek re-election and does not return their inventory, they will be invoiced for the cost of the inventory based on the CRA Classes of Depreciable Property rates.

## CONSTITUENCY TRAVEL AND MEETING EXPENSE

### 112. FIVE CONSTITUENCY TOURS

All Members representing constituencies that include more than one community, will be reimbursed:

- Five trips to each community each fiscal year.
- A total of 15 nights' accommodation, per community, per fiscal year.
- Accompanying daily costs as they relate to transportation, meals and incidentals.

In the fiscal year in which a general election is held, Members will be reimbursed:

- Two trips to each community in the months leading up to the election.
- A total of six nights accommodation.
- Three trips in the months following the election with a total of nine nights accommodation.
- Adjustments to allowable trips, not exceeding the maximum allowed, will be made if the dates of an election are significantly changed.

All costs associated with these trips will be paid from the appropriation of the Legislative Assembly and it is the intention to cover the costs for the Member only.

Members who live within their constituencies are not entitled to reimbursement for trips to their home community. Constituency tour funds can also be used by a Member to attend spiritual and cultural gatherings not held in a community but within their constituency, and each of these trips will be counted as a community trip.

Travel arrangements **must** be made by Members' and Precinct Services. Travel and other costs will be reimbursed on the same basis as other types of travel (i.e. most economical fare and Treasury Board Rates).

Visits to a Member's community that are not paid for by the Legislative Assembly do not affect the Member's entitlement under this section. Where a Member is required to pay a portion of the costs of a chartered aircraft into a community in their constituency or any portion of their expenses while in the community, the trip will be deducted from the Member's annual entitlement.

### **112.1 CONSTITUENCY MEETING EXPENSE**

Each Member of the Legislative Assembly will be reimbursed:

- A maximum cost of \$1,500 per year, per community, for each community within their constituency, for the purpose of constituency meeting expenses.

Members will have access to a global budget for these meetings without restrictions on per community expenses. Allowable expenses may include:

- Facility rental.
- Meals or the bulk purchase of food.
- Non-alcoholic beverages.
- Interpretation and translation services.
- Other items necessary for a constituency meeting.

Members may access these funds through Members' and Precinct Services.

### **113. OTHER CONSTITUENCY TRAVEL**

A Member's travel for constituency business, in addition to the five funded tours per year, may be reimbursed from their Constituency Work Expense Allowance. Travel arrangements for all constituency travel must be made by Members' and Precinct Services. Clerk approval is required for all out-of-territory travel for constituency business. Usually this type of travel is an add-on to other Legislative Assembly business.

Travel costs for persons other than a Member, or the Member's Constituency Assistant, will not be reimbursed unless the Member can provide written substantiation to Members' and Precinct Services that the person is traveling to perform constituency work on the Member's behalf.

Where a Member or other person travels for constituency business using his or her own transportation, the Member can be reimbursed, or direct that payment be made to the person owed, by either:

- the prevailing higher tier Federal Treasury Board rate per kilometer for Government of Canada employees (this rate remains the same regardless of the kind of vehicle used); or
- the actual cost of fuel (receipts required).

Members should note that restrictions regarding air charters apply equally to their travel on business as a Member and to constituency travel.

### **113.1 ACCOMMODATION**

Members travelling on constituency business may be reimbursed under their Constituency Work Expense Allowance for:

- Meals and commercial accommodation for the Member.
- Non-commercial overnight accommodation while travelling on constituency business, in the amount set by the Treasury Board of Canada as the daily rate payable in the Northwest Territories.
- Accommodation costs for persons other than a Member, or the Member's Constituency Assistant, will not be reimbursed unless the Member can provide written substantiation to Members' and Precinct Services that the person is travelling to perform constituency work on the Member's behalf.

Members must produce a receipt to be reimbursed. A claim for reimbursement under this section is allowed, notwithstanding the provisions of the *Legislative Assembly and Executive Council Act* regarding financial interest by family members.

## CONSTITUENCY OFFICE SPACE

### 114. CONSTITUENCY OFFICES

The Legislative Assembly will pay the costs of leasing constituency office space to enable Members to provide access and services to their constituents.

With Board approval, a Member may have office space in more than one community within their constituency where the need can be justified. A Member must not make any commitment towards a rental or lease agreement without prior approval of the Board. To obtain Board approval a Member must:

1. Locate at least two office spaces in the community or communities that will serve the Member's needs. Following a competitive process, evaluate the office spaces based on cost, size and the Member's needs. Identify a preferred office space and negotiate with the landlord for a monthly rental rate. The monthly charges must include all expenses related to the lease (parking, alarm systems, janitorial services, utilities, security and telephone lines).
2. Submit a request to the Board for approval to lease the office space. The request must include information regarding the size of each office space in square meters; and provide supporting documentation from the landlord, which details the total monthly cost of the preferred office space. For comparative purposes, provide the costs of the other office spaces that were considered.

Following Board approval, a contract will be prepared between the Legislative Assembly and the landlord. The lease agreement will be between the Legislative Assembly and the landlord, and payments will be made directly to the landlord. No payments will be made directly to the Member.

Arrangements for the installation of fax lines, telephone lines and telephone directory advertising must be requested through Members' and Precinct Services and will be charged to the Member's Constituency Work Expense Allowance.

Any damage caused by the Member to the rental property may be the responsibility of the Member. Each lease will have a 30-day cancellation clause. A Member who wishes to terminate a lease agreement must notify Members' and Precinct Services immediately so that they can formally notify the landlord.

During an election period, Member's cannot access their constituency office from the date of dissolution of the Assembly. A Member who is re-elected will regain access after they are sworn in as a Member.

### 115. FINANCIAL INTEREST

The Board will not approve a request to lease office space where any Member, or the spouse or relative of any Member, has a financial interest in the lease, or in a corporation that has a financial interest in the lease, unless the Member wishing to lease the space supplies detailed rationale and substantiation for the lease and the Board is satisfied that no alternate space is reasonably available.

### 116. EQUIPMENT AND FURNITURE

The Legislative Assembly will provide each Member and Constituency Assistant with a personal computer system. It is the Member's choice whether the computer is kept in the Member's constituency office or elsewhere.

Standard office equipment/furniture will be provided upon request for each constituency

office. To acquire this equipment, a Member must submit a request to Members' and Precinct Services:

- Double pedestal desk or modular desk unit with utility table computer access (1)
- Two-drawer lateral filing cabinets (2)
- Waste paper basket (1)
- Recycling paper basket (1)
- Telephone answering equipment or voice mail where available
- Swivel-tilt chair (1)
- Side chairs (2)
- Printer (1)

If the constituency office space lease includes furniture, only the furniture and equipment not provided by the landlord will be supplied. The office equipment and furniture are the property of the Legislative Assembly and generally may not be retained by the Member at the expiry of their term of office.

Members can purchase additional items or upgrade the standard equipment and furniture through their Constituency Work Expense Allowances. All additional inventory items must be purchased through Members' and Precinct Services. The inventory will be procured from approved Northern businesses, wherever possible, and steps will be taken to obtain the best possible value.

Members' and Precinct Services will maintain an inventory list of Members' equipment and furniture and will update this list as necessary.

## 117. CONSTITUENCY ASSISTANT

Members can hire individuals, businesses, or corporations to assist them in performing their constituency duties. Members can be reimbursed for this expense from their Constituency Work Expense Allowance. A Member may hire an individual as a

Constituency Assistant term employee, and/or may engage an individual, business or corporation to perform duties under a short-term service contract. Members may hire more than one Constituency Assistant and enter into more than one service contract at any time.

A Constituency Assistant is not an employee of the Legislative Assembly or the Government. The Member is the employer and, as such, enters an employment contract with the employee. A service contract is also an agreement between a Member and the person(s) being contracted. The Legislative Assembly is not a party to any such agreement. Any obligations are the responsibility of the Member.

Members are personally liable for wages owed to Constituency Assistants and amounts owing under service contracts if there are insufficient funds in their Constituency Work Expense Allowance. The *Indemnities, Allowances and Expense Regulations* require that the salary and deductions relating to a Constituency Assistant, and amounts payable under a service contract, be paid directly to the person to whom the payment is owed.

It is the responsibility of each Member to be familiar with the applicable legislation, including the *Employment Standards Act* and the *Human Rights Act*, as well as the Code of Conduct.

### 117.1 ELIGIBILITY

The *Indemnities, Allowances and Expense Regulations* provide that the following persons cannot serve as constituency assistants or enter into service contracts with a Member unless specifically approved by the Board:

- Another Member.
- The spouse or a relative of the Member.
- The spouse or a relative of another Member.

A Member may not enter into a service contract if any of the above persons has a financial interest in a corporation that has a financial interest in the service contract, unless specifically approved by the Board. Members should seek advice from the Clerk or Law Clerk if there is any doubt on this issue.

### 117.2 TERM EMPLOYEE

Constituency Assistants are term employees, hired on an on-going basis for a term not to exceed the life of the current Legislative Assembly. The hours of work may be set or flexible.

Deductions for Income Tax, Canada Pension Plan and Employment Insurance will be made from the Constituency Assistant's pay and from the Member's Constituency Work Expense Allowance. Workers' Compensation deductions and any other appropriate deductions will also be made from the Member's Constituency Work Expense Allowance.

### 117.3 TERMS OF EMPLOYMENT

The personal employment contract between the Member and their Constituency Assistant must specify the terms of the employment including the duties, hourly rate of pay and benefits to be provided. The Legislative Assembly, on behalf of Members, sponsors a cost shared benefits plan that provides single or family coverage for health, dental and insurance benefits to eligible Constituency Assistants through the Northern Employees Benefits Services (NEBS).

These benefits are offered to all constituency assistants as a condition of employment. To be eligible to participate in this benefits plan constituency assistants must be employed for a term of at least 12 months and must work a minimum of 20 hours per week.

The employer costs of the benefits plan are paid from the Member's Constituency Work Expense Allowance. Other employee benefits

offered, such as vacation leave or pay, additional statutory holiday pay, sick leave or bonuses must be stated in each contract. Members should also be aware that the Board may restrict the payment of a bonus or a change in remuneration for a Constituency Assistant in an election year.

Members' and Precinct Services staff can assist Members in identifying terms of employment, duties, rates of pay and benefits for prospective Constituency Assistants. Constituency Assistants are required to take and subscribe to an oath of office in a form set out below.

### 117.4 OATH/AFFIRMATION OF OFFICE

#### Oath of Office

I, (Constituency Assistant's Name), do swear that I will faithfully discharge my duties as a Constituency Assistant to the M.L.A. for (Name of Constituency) of the Northwest Territories Legislative Assembly and will observe and comply with the laws of Canada and the Northwest Territories, and, except as I may be legally required, I will not disclose or give to any person any information or document that comes to my knowledge or possession by reason of my being a Constituency Assistant to the M.L.A. for (Name of Constituency) of the Legislative Assembly. So help me God.

#### Affirmation of Office

I, (Constituency Assistant's Name), do so promise and affirm that I will faithfully discharge my duties as a Constituency Assistant to the M.L.A. for (Name of Constituency) of the Northwest Territories Legislative Assembly and will observe and comply with the laws of Canada and the Northwest Territories, and, except as I may be legally required, I will not disclose or give to any person any information or document that

comes to my knowledge or possession by reason of my being a Constituency Assistant to the M.L.A. for (Name of Constituency) of the Legislative Assembly.

### **117.5 RECRUITMENT**

Members are responsible for interviewing and selecting their Constituency Assistants and for negotiating the hourly rate of pay, vacation entitlements and benefits, if any. Upon request, Members' and Precinct Services will assist Members with interviewing and selecting candidates and will also provide sample contracts.

The process for appointing a Constituency Assistant is as follows:

1. The Member notifies Members' and Precinct Services that they have identified someone to hire as a Constituency Assistant.
2. Members' and Precinct Services provides the necessary documentation to the Member, including a copy of an employment contract.
3. The Member, after negotiating with the individual, completes the contract and has the individual sign it.
4. The original signed contract must be returned to Members' and Precinct Services.
5. The Member must ensure the Constituency Assistant takes an oath of office in a form approved by the Clerk of the Legislative Assembly.

### **117.6 TERMINATION**

To comply with the *Employment Standards Act*,

- 14 days' notice, or pay in lieu of notice, is required to terminate the Constituency Assistant contract after a minimum of 90 days, but not more than two continuous years of employment.

- One week of notice, or pay in lieu of notice, for each year of service is required to terminate the Constituency Assistant who has been employed for more than two continuous years.

Notice of the termination of a Constituency Assistant must be given in writing and a copy provided to Members' and Precinct Services. Members' and Precinct Services will make arrangements with the Member and the Constituency Assistant for the payment of any vacation pay or other benefits to which the Constituency Assistant is entitled.

In the case of a general election, appropriate notice should be given to the Constituency Assistant prior to the writs being issued.

### **117.7 DELEGATION OF AUTHORITY**

A Member may authorize their Constituency Assistant to incur specific operating costs inherent in the operation and maintenance of a constituency office by completing an authorization form and filing it with Members' and Precinct Services.

If the Member fails to delegate this authority in this manner, Members' and Precinct Services cannot honor any invoices submitted by the Constituency Assistant for payment or reimbursement.

### **117.8 SERVICE CONTRACT**

A service contract is used to hire an individual, business or corporation on a one-time basis to undertake a specific project related to constituency matters.

Members may request the preparation of one or more service contracts by contacting Members' and Precinct Services. The request must include detail of the work to be undertaken, the amount to be paid and the time period in which the project is to be completed.



Members' and Precinct Services will pay amounts owing under the service contract directly to the person owed and deduct the amount paid from the Member's Constituency Work Expense Allowance. The accumulated dollar value of any contracts must not exceed the funds available in the Member's Constituency Work Expense Allowance. In accordance with the Financial Administration Manual, payments will be made 20 or 30 calendar days (depending on the contractor's status under the Business Incentive Policy) after receipt of an invoice or receipt of goods or services, whichever is later.

The person or organization that receives the service contract is responsible for paying income tax and benefits on behalf of any other persons who perform the work. The Member is not required to make payments for Employment Insurance, Canada Pension Plan or Workers' Safety and Compensation.

If the contracted services are to be performed by an individual, particular care must be taken to ensure that an employer/employee relationship does not exist or come into being. A significant factor is the degree of control exercised by the Member over how, when and where the work is completed and who provides tools and equipment to perform the work. Lengthy, continuing or recurring work suggests that an employment relationship has been created. In that case, the Member may be required to pay Employment Insurance, Workers' Safety and Compensation and Canada Pension Plan payments. The employee may also be eligible for other employee benefits such as vacation, statutory holiday pay and sick leave. Members' and Precinct Services can advise and assist Members in relation to service contracts.

## MEMBERS' SERVICES

### 118. TELEPHONE SERVICE

Telephones are supplied in Members' and Constituency Assistants' offices in the Legislative Assembly building and in the Members' constituency offices. These telephones must be set up and administered through Members' and Precinct Services to be included in the government accounting system.

Members may also purchase personal mobile devices (i.e. iPhone, Blackberry, iPad, or other tablets). All purchases must be made through Members' and Precinct Services and are eligible for reimbursement through the Member's Constituency Work Expense Allowance. Only government owned personal devices will be allowed access to the government network and will be supported by the Technology Service Centre.

Charges originating from Member and Constituency Assistant telephones and relating to the Member's role as an MLA are eligible expenses under the Constituency Work Expense Allowance. It is the Member's responsibility to report telephone charges not related to the Member's role as an MLA to Members' and Precinct Services. These charges will be the responsibility of the Member.

### 119. OFFICE SPACE AND SERVICES

All Members are entitled to working space within the Legislative Assembly building and to the services of secretarial support staff to assist them in carrying out their duties.

Each regular Member is assigned one Member's office, located on the second floor of the Legislative Assembly building. Each regular Member is also assigned a second office, directly across the hall from the Member's office, for use by a Constituency Assistant. The Sergeant-At-Arms may permit Ministers, Members and Legislative Assembly staff to use vacant offices at their

discretion for purposes related to the work of the Legislative Assembly.

The allocation of offices to regular Members is determined by seniority in the Assembly, at the beginning of each Assembly. If two or more Members have the same seniority, lots are drawn for first choice. Members wishing to move offices must first consult with, and seek the approval of, the Sergeant-At-Arms.

### **119.1 MAIL AND SECRETARIAL SUPPORT**

Administrative support is available to assist regular Members with, photocopying, sending and receiving faxes and sorting mail. Upon request, assistance will be provided to Members in creating a filing system.

At the Member's direction, mail can be held at the Legislative Assembly, forwarded to their constituency office or forwarded to their home. Members' instructions must be provided in writing. No one other than the Member, the Member's Constituency Assistant, or someone legitimately acting on their behalf, should open, interfere with, view or access Members' Mail. The cost of outgoing mail is charged to each Member's Constituency Work Expense Allowance.

### **119.2 OFFICE EQUIPMENT AND LETTERHEAD**

Each Member's office comes with:

- A desk
- Cabinet
- Filing drawers
- Shelves
- Three chairs
- A coat closet
- A personal computer system
- Printer copier

A Member can choose to keep these items in their Legislative Assembly office or elsewhere. Members may purchase additional equipment and supplies through their Constituency Work Expense Allowances.

The Assembly will provide standard letterhead. A Member may request personalized letterhead through Members' and Precinct Services. Personalized letterhead must comply with the Visual Identity Standards.

The costs for the design and printing of personalized letterhead will be deducted from the Member's Constituency Work Expense Allowance.

### **119.3 E-MAIL**

Each Member and their Constituency Assistant will be assigned an e-mail address through the GNWT email system upon request. Members and their Constituency Assistants are subject to the Electronic Mail and Internet Use Guidelines of the GNWT. A copy of these Guidelines will be provided to Members by Members' and Precinct Services.

### **119.4 COMPUTER EQUIPMENT**

The Legislative Assembly provides each Member and Constituency Assistant with a personal computer system. Members and Constituency Assistants can choose from a range of computer options that are supported by the GNWT Technology Service Centre (TSC).

The purchase of all computer hardware and software is done by Members' and Precinct Services. This computer equipment is included in the Legislative Assembly Evergreen program.

If a piece of the initial computer equipment provided by the Legislative Assembly fails, Members' and Precinct Services will arrange a temporary replacement. The Assembly will pay repair costs for initial equipment. If the equipment cannot be repaired, Members' and Precinct Services will replace it. The Assembly pays replacement costs. The cost of repair or replacement of additional

computer equipment purchased by the Member must be paid from the Member's Constituency Work Expense Allowance.

Voice Over Internet Protocol (VOIP) phones are integrated with the GNWT Computer System and are included as computer equipment.

## PUBLIC RELATIONS AND COMMUNICATIONS

The Public Affairs and Communications (PAC) Unit can meet and discuss Members communications and advertising needs.

### 120. VISUAL IDENTITY STANDARDS

The Northwest Territories Legislative Assembly adopted Visual Identity Standards in August 2019. They were updated in 2023. The Visual Identity Standards provides members with a range of templates to help streamline advertising, promotional items and more.

### 121. MEDIA RELATIONS

Members are provided media training during Orientation.

It is essential that elected officials have the opportunity and the ability to communicate effectively with the public. The media play an important role in assisting with this function and sharing information. Members are often approached by the media to answer questions, provide opinions or for information.

Key things to remember when dealing with the media:

- When possible, an in-person interview is preferred. Members can ask for questions in advance or a general theme to their questioning.
- Members can always ask that an interviewer follow up with questions in writing for clarity.

- Members can request that someone from PAC attend the interview with them.

Public Affairs and Communications can assist Members in dealing with the media.

### 122. PRESS RELEASES AND PRESS CONFERENCES

Members may request assistance from Public Affairs and Communications (PAC) in drafting and editing a press release. When the Member is satisfied with the text of a press release, PAC will provide the final draft back to the Member for distribution. PAC can provide distribution lists for Northern and Canadian media upon request. Staff of the Legislative Assembly are not authorized to speak on behalf of individual Members

### 123. ADVERTISEMENTS

Public Affairs and Communications can provide advice with regard to a Member's advertisements. The Visual Identity Standards have a range of templates to assist in creating advertisements. All ads must be approved by Members' and Precinct Services prior to publication.

### 124. SOCIAL MEDIA

The Northwest Territories Legislative Assembly uses social media to share information on its programs, services, committees, and related events. The Assembly's official social media platforms include Facebook, Twitter, YouTube, and Instagram. Members can request audio or video clips from Public Affairs and Communication to be used on their own social media platforms.

Members' social media pages are independent of the Legislative Assembly and the Assembly is not responsible for content of these pages. Privacy/Confidentiality Agreements and the Member's Code of Conduct apply to the content of social media.

## 125. BUILDING TOURS

Public Affair and Communications conducts daily guided tours of the Assembly building.

Arrangements can be made for special group tours, upon request to [LA\\_PAC@ntassembly.ca](mailto:LA_PAC@ntassembly.ca). During the summer months of June, July and August, guided tours of the Legislative Assembly are given weekdays at 10:30 a.m., 1:30 p.m. and 3:30 p.m. During the remaining months of the year tours are scheduled on Mondays through Fridays at 10:30 a.m.

Public Affairs and Communications offers self-guided audio tours in English, French, and Tłı ʔı. The audio tours can be accessed through the Smartify app on any personal smartphone. Security staff and the display screen in the Great Hall offer a QR code that can be scanned to access the tour.

## 126. BUSINESS CARDS

All business cards must comply with the Legislative Assembly Visual Identity Standards and branding, and must be approved for purchase by Members' and Precinct Services prior to printing.

Business cards can be ordered in more than one official language. Translation services are available through Public Affairs and Communications.

## 127. PHOTOGRAPHS

With reasonable advance notice, Public Affairs and Communications can take photographs of Members during their work as MLAs. This includes Committee activities and meetings with guests or constituents in the Assembly. Digital photo files can be made available to Members within a reasonable time. Members using photos taken by the Assembly must ensure that all images used are properly credited. Public Affairs and Communications can advise of this when issuing the photo. Photos credited to the Legislative Assembly may only be used in relation to the Member's business as a Member.

## 128. WEBSITE

Members are encouraged to visit the Assembly's website at [www.ntassembly.ca](http://www.ntassembly.ca). The website contains information about the Assembly and its business. This includes information about Members, Hansard, Bills and amendments, Orders of the Day, status of Bills, Legislative Library catalogue, tabled documents, Committee Reports, Assembly news releases and educational information for children and adult visitors. The site also contains live and archived audio/video of the Assembly's proceedings. Members can also view recordings of House and Committee proceedings through our [YouTube](#) page.

Members are asked to provide a written biography to Public Affairs and Communications to be posted on the Assembly's website. A Member may update or make changes to the biography by sending new information to Public Affairs and Communications. Members may request to add a link to their personal website in their biography.

Members wanting a website for Member and/or Legislative Assembly business will have website domain names provided by Members' and Precinct Services. The cost of the domain is covered by Members' and Precinct Services, but set-up and maintenance are paid from the Constituency Work Expense Allowance. Members' websites are independent of the Legislative Assembly website. The Assembly is not responsible for content of these websites.

# RESEARCH SERVICES

## 129. RESEARCH SERVICES

Research Services undertakes research and analysis on behalf of all 19 Members, Committees, the Speaker and the Clerk, as well as providing broad policy advice and interpretation. This includes research on the background, history and key considerations of matters of interest to individual Members and Committees, such as GNWT policies, programs and services, and issues of territorial and national significance.

Work prepared by research staff is objective, non-partisan and impartial. The Manager of Committees, the Manager of Research and Legislative Assembly Advisors will not present personal opinions as fact nor canvas support for Members' activities.

### 129.1 CONFIDENTIALITY

Research support to individual Members is provided on a confidential basis.

Distribution of materials generated by Research Services is at the discretion of the requesting Member. A Member who intends to table or otherwise make research information public is encouraged to discuss this beforehand with the Manager.

### 129.2 MAKING A REQUEST

Requests for individual Member research assistance must be made directly by the Member, ideally in writing by email, to the Manager of Research. The scope of the request should be clearly defined. Research Services can assist Members with drafting research requests if required.

### 129.3 PRIORITY OF ASSIGNMENTS

Research staff recognize that some requests have tight timelines. Staff will endeavor to assist Members to the greatest extent possible. However, to ensure satisfactory service, Members are encouraged to submit any requests for assistance at the earliest

possible opportunity. Requests for assistance with speaking points or questions may not be possible to complete if required that same day.

### 129.4 SCOPE OF SERVICES FOR ASSISTING MEMBERS

- obtaining background information and documents on a subject, including interjurisdictional research;
- preparing briefing notes or other analysis of an issue;
- preparing or editing correspondence or other written material for Members; and
- Assisting with the drafting of Members' Statements, oral and written questions, and speaking notes for debates in the House or attending an event on behalf of the Legislative Assembly.

### 129.5 RESEARCH SERVICES FOR COMMITTEES

Each Standing Committee has an assigned Legislative Assembly Advisor. The Legislative Assembly Advisor will work closely with the Committee Chair and Members to identify research needs. Committee reports produced by Advisors are required to adhere to the rules, practices, and parliamentary precedents of the House.

### 129.6 SCOPE OF SERVICES FOR ASSISTING COMMITTEES

- attending Committee meetings;
- preparing briefing notes and other analyses of Bills, Business Plans, the Main Estimates and other matters within the Committee's Terms of Reference;
- delivering oral briefings to the Committee;
- highlighting and clarifying central issues before the Committee, including legislative, budgetary and policy matters;

- assisting Committee in areas requiring additional research;
- obtaining background information and documents on issues before the Committee;
- summarizing submissions made to the Committee and drafting reports as directed by the Committee;
- working with the Committee Clerk to assist the Chair in preparing for meetings based on facilitated discussion; and
- the Committee Chair must approve a research request made by a Member of a Committee.

### 129.7 EXTERNAL RESOURCES

Occasionally Committees may require access to additional expertise to assist with the review of a subject. When this occurs, the Committee Advisor and Committee Clerk will work with the Deputy Clerk, House Procedure and Committees to arrange for external assistance, as directed and approved by the Committee.

### 129.8 RESTRICTIONS

In all engagements with external organizations the Legislative Assembly Advisor will identify themselves as staff of the Legislative Assembly, and advise that the source of the request is a Member of a Committee.

In an election year research services may be impacted during the pre-election period and Members should refer to the Election Year Guidelines for more detailed information.

### 129.9 CONCERNS

Questions or concerns respecting this policy, the quality or delivery of research services or the role of research staff should be brought to the attention of the Deputy Clerk, House Procedure and Committees.

## 130. LEGISLATIVE LIBRARY

The Legislative Library is here to serve you. While the Library is open to the public and does provide services to GNWT employees, the primary clientele are all nineteen Members (whether they sit as Cabinet Ministers or Regular Members), their staff, and the Legislative Assembly personnel.

The Library provides the following services:

### **Reference Services**

The Library staff offers confidential information and in-depth reference services for its clients. You may contact the Library in person, via email, or over the phone.

### **Monograph Collection**

The Library hosts a collection of materials with a focus on government, northern, and Indigenous issues including books, government publications, and reports. These items are intended to meet current and anticipated research and information needs of Members and Assembly staff.

If the Library does not have a specific book, or would benefit from additional resources on a topic, inform the staff and we will explore adding materials to enhance the collection.

Many materials may be signed out from the Library for 42 calendar days with the possibility of extending the loan.

All requests for information and borrowing transactions are considered confidential.

The Legislative Library's collection may be searched and accessed through the catalogue at: <https://lant.bywatersolutions.com>

### **Hansard**

The Library hosts transcripts of the Debates of the House, referred to as the Hansard. Printed copies have been transferred to long-term storage, but digital copies may be found within the Legislative Library's Institutional Repository (LAIR) <https://lanwt.i8.dgicloud.com/hansard>.

### **Digital Collection**

Continuously adding more and more digital content to its growing collection, the Library is improving access to its many resources through its electronic environment. The Legislative Assembly's Institutional Repository (LAIR) (<https://lanwt.i8.dgicloud.com/>) hosts digital versions of the Hansard back to 1951 and the Library is working on adding electronic versions of every Tabled Document back to 1964 and every Committee Report back to the 12<sup>th</sup> Legislative Assembly.

### **Article Service**

The Library subscribes to JSTOR, a database of over 2,200 periodicals covering a number of subjects.

If you discover an article not available through JSTOR, the Library staff will do its best to obtain a copy for you.

### **Art Collection**

Members and staff are permitted to have pieces from the Legislative Assembly's art collection to enhance their office space. The collection is viewable via the catalogue (<https://tinyurl.com/y87yuh49>) and each item will be signed out for one year. At the end of the year, you will have the option to renew the loan for another 365 days or exchange the piece for a different one.

### **Member Records**

Members are responsible for their own records. The Legislative Assembly has no authority or responsibility for the Members' files.

However, should you require assistance, Library staff are able to provide advice on records management, suggest administrative structures to help with filing, provide assistance to determine if an item is a constituency record or an Assembly record, at the end of the Assembly, option may be presented on the disposal of records.

### **Wohgwj Nj htl'è K'è Yats'ehiti Kò a (Library's Owl Reading Area)**

Members and staff are welcome to come in and read material, eat their lunch, or just chat in the comfy chairs at the front of the Library.

This area may also be used to conduct interviews. The Library does request three days' notice to prepare the area. There is a book cart available for use if needed that could serve as a prop table. Please be aware that the Library is open to the public and a quiet area cannot be guaranteed.

In order to use these services, visit or contact the Library to create an account. While you are there, explore, ask questions, receive an overview of the services, and meet the staff.

## **ADMINISTRATIVE SERVICES**

### **131. ADMINISTRATIVE SERVICES**

Members' and Precinct Services staff provide various services to assist Members. Many of the services provided are referenced in other sections of this handbook, particularly with respect to Members' indemnities, benefits, entitlements and allowances.

#### **131.1 SERVICE CONTRACTS**

Upon request, Members' and Precinct Services will assist Members in preparing service contracts. For these purposes, a service contract is between the Member and the person(s) being contracted, not between the Legislative Assembly and the person(s) being contracted.

#### **131.2 PROCUREMENT REQUESTS**

All goods and services must be purchased through Members' and Precinct Services. An email to [LA\\_Procurement\\_Services@ntassembly.ca](mailto:LA_Procurement_Services@ntassembly.ca) requesting procurement for goods or services, is required. The request must provide the name of the supplier, a description of the goods or services required

and a cost. In the event of a meeting or community event, a date of the meeting or the community event must be provided.

A Purchase Order will be provided to the Member or Constituency Assistant to forward onto the supplier. If a third-party credit card authorization is requested, Procurement Services will ensure the supplier is provided with adequate information for the purchase and will relay the confirmation to the member or Constituency Assistant. Procurement requests may take up to three business days to complete.

### **131.3 CORPORATE CREDIT CARD FOR TRAVEL**

Each Member is assigned a corporate credit card for travel purposes. The card is only to be used for transportation and accommodation. It can be used for the purchase of the following:

- scheduled and chartered air transportation;
- any type of regularly scheduled transportation;
- accommodations; and
- rental vehicles and the operation of rental vehicles.

A corporate credit card must not be used to pay for meals, telephone calls, room service, or any other goods or services not included in the basic room rate. The Member shall pay separately for such items, using their own funds. Unauthorized use of a Member's Corporate Credit Card may result in card suspension and subsequent revocation.

### **131.4 DIRECT DEPOSIT**

Direct deposit services are mandatory for all Members with respect to their bi-weekly indemnity.

Members must complete the Direct Deposit form and submit it to Members' and Precinct Services along with a sample cheque marked

"VOID" for the account in which the payments will be deposited. A copy of the form can be obtained from the Government of Northwest Territories website at [www.hr.gov.nt.ca](http://www.hr.gov.nt.ca) or by contacting Members' and Precinct Services.

Three weeks' notice is required for changes to a Member's banking information.

## **132. LEGAL SERVICES**

The Legislative Assembly has a Law Clerk and Deputy Law Clerks under contract to provide legal services to Members upon request.

The Legislative Assembly will pay for up to 40 hours of legal services for each Member during their term. Members may purchase additional services from their Constituency Work Expense Allowance. Legal services that are paid by the Legislative Assembly will be provided by the Law Clerk or Deputy Law Clerk, unless the Board of Management approves alternate legal counsel. If the Board of Management grants alternate legal counsel the fees are set at rates pre-established by the Board (Maximum Hourly Rate: \$325.00).

To make a request that the Board approve alternate legal counsel Members must write a letter to the Speaker describing the circumstances and demonstrating the basis for the request, including how the matter arose in the exercise of parliamentary functions. The request must be done in advance and reimbursement for fees after the fact will not be considered.

The Speaker then provides the request to the Clerk, which prepares a submission to the Board for presentation at one of its upcoming meetings. In preparing the Board submission, the Clerk considers the Eligibility Criteria set out below, and may request additional information from the Member to ensure that the Board has all of the necessary information before coming to a decision.

The submission will also include a recommendation to the Board from the Law Clerk or Deputy Law Clerk about whether the request should be granted in the circumstances.



The Board has final authority in determining whether to grant a request for reimbursement of legal fees.

Following the Board meeting at which their request is considered, the Speaker informs the Member of the Board's decision. If approved, the Clerk then liaises with the Member to ensure that all invoices are provided to the Clerk. The amounts claimed are reviewed by Law Clerk or the Deputy Law Clerk to verify that they align with the rates pre-established by the Board and are reasonable in the circumstances. Appropriate detail must be provided in the legal accounts so as to ensure that it can be verified that the legal work relates to the Member's parliamentary duties.

Any legal fees paid by the Member that are greater than the rates allowed by the Board are the personal responsibility of the Member.

Where the costs are paid from a Member's Constituency Work Expense Allowance, the Member may obtain legal services from the counsel of their choice. Alternate legal counsel fees are rates set at the pre-established by the Board (Maximum Hourly Rate: \$325.00).

### **132.1 ELIGIBILITY CRITERIA**

Alternate legal counsel fees incurred by Members may be approved where:

- a) there is a conflict of interest or where a matter requires expertise that our Law Clerks do not have; and
- b) The Board determines that reimbursement is appropriate in the circumstances.

The Member will only be reimbursed for legal fees that have been pre-approved by the Board of Management. The reimbursement of legal fees for services incurred prior to the Board's approval will not be considered.

If approved by the Board for a Member to go to outside counsel, the counsel must be conflict free, possess the requisite expertise, and be licensed to practice in NWT.

The Board has final authority in determining whether to grant a request for reimbursement

of legal fees.

The decision to grant an exception and the amount reimbursed are reported in the minutes of the Board.

### **132.2 SCOPE OF SERVICES**

Legal services provided to Members must be of a general, constituency-wide nature or be directly related to the Member's responsibilities as a Member in relation to the ordinary and proper representation of members of the public.

Any costs associated with the provision of advice for specific and personal concerns of a Member, a constituent or any other person, will not be paid by the Legislative Assembly and may not be reimbursed from the Member's constituency work expense allowance. The Law Clerk and Deputy Law Clerks will not undertake any work that is of a non-legal nature. The Office of the Clerk is available to provide assistance to Members in all areas other than issues that have direct legal implications.

### **132.3 LEGAL SERVICES DURING SESSION**

The Law Clerk and Deputy Law Clerks are available to provide legal services to Members while they are in attendance at the Legislative Assembly while the House is sitting on a first come, first served basis. Legal services that are carried out during Session will not be deducted from the 40 hours of services paid by the Legislative Assembly or from the Member's Constituency Work Expense Allowance.

### **132.4 APPROVAL FOR PROJECTS**

Legal service projects that are anticipated to exceed five hours should be approved in advance by the Clerk unless the Member is paying for the service using their Constituency Work Expense Allowance. On occasion, a Member may not wish the nature of the project to be disclosed, and where this applies, the Law Clerk will deal with the request for approval on behalf of the Member, bearing in mind the importance of the solicitor-client relationship.

### 132.5 LEGAL SERVICES DURING SESSION

During sittings of the Assembly, the Law Clerk and Deputy Law Clerks can provide legal services to Members on a first come, first served basis. Legal services that are carried out during Session are not deducted from the 10 hours of services paid by the Legislative Assembly or from the Member's Constituency Work Expense Allowance.

### 132.6 APPROVAL FOR PROJECTS

Legal service projects that will exceed five hours should be approved in advance by the Clerk unless the Member is paying for the service using their Constituency Work Expense Allowance. On occasion, a Member may not wish the nature of the project to be disclosed. In these cases, the Law Clerk will deal with the request for approval on behalf of the Member respecting the confidentiality of the Member's request.

## MEMBER'S ASSISTANCE PLAN

### 133. MEMBER'S ASSISTANCE PLAN

The job of an MLA brings with it new pressures and stress for Members and their families. Removal from traditional community support and increased public scrutiny, responsibility and time pressures can have an effect on Members and their families. Some Members may need additional support. The Members' Assistance Plan (MAP) is confidential, based on the needs of Members and voluntary.

#### 133.1 USING THE PLAN

Members and their immediate families (spouses or dependent children) can use the plan. The plan can be accessed at any time during the life of the Assembly. The Assembly covers the costs of services provided through the plan.

### 132. Employee and Family Assistance program (EFAP)

TELUS Health (formerly LifeWorks) is the GNWT's confidential 24/7 Employee and Family Assistance program (EFAP). Members have full access to this program.

EFAP is a confidential and voluntary support service that can help Members take the first step toward change. TELUS Health can help Members find solutions to the challenges they face at any age and stage of life. Members and their dependents can access immediate and confidential support in a way that is most suited to their preferences, comfort level and lifestyle.

#### 132.1 HOW DO YOU ACCESS TELUS HEALTH?

*For immediate and confidential assistance, call 1-833-622-1307*

To access TELUS Health online:

1. **Go to** [one.telushealth.com](http://one.telushealth.com)
2. **Username:** GNWT
3. **Password:** GNWT (password is case sensitive)

The TELUS Health One app is also available for download from the [Apple App Store](#) or [Google Play](#)

#### 132.2 WHAT ARE THE AVAILABLE SUPPORTS?

Solutions for work, health and life:

- **Achieve wellbeing**
  - » Stress, Mental health concerns, Grief and loss, Crisis situations
- **Manage relationships and family**
  - » Communication, Separation/divorce, Parenting
- **Deal with workplace challenges**
  - » Stress, Performance, Work-life balance
- **Tackle addictions**
  - » Alcohol, Drugs, Tobacco/Nicotine, Gambling

- **Find child and elder care resources**
  - » Child care, Schooling, Nursing/retirement homes
- **Get legal advice**
  - » Family law, Separation/divorce, Custody
- **Receive financial guidance**
  - » Debt management, Bankruptcy, Retirement

### 132.3 COST

There is no cost to a Member or their family to use EFAP. EFAP can provide a series of sessions with a professional and if Members need more specialized or longer-term support, a team of experts can suggest an appropriate specialist or service that is best suited to their needs.

Former Members are eligible to access this program for up to one year after leaving the Legislative Assembly.

### 133. CLERK DISCRETIONARY FUND

Should Members or their families not feel comfortable using the services provided by MAP, the Clerk of the Legislative Assembly has a discretionary fund for access by Members for private services. These services will be booked, in confidence, directly by the Clerk.

### 134. MENTAL HEALTH TOOL KIT FOR MEMBERS

The Commonwealth Parliamentary Association has launched the *Mental Health Toolkit for Commonwealth Parliamentarians* to guide, advise, and educate Legislatures on how to improve their response to mental health issues experienced by Legislative Assembly Members.

<https://www.cpahq.org/media/cczlingr/mental-health-toolkit-final-web.pdf>

### 135. CONFIDENTIALITY

All information regarding Members accessing the plan is strictly confidential. Information on which Members have accessed the plan or the reasons for access is not released to anyone, including the Board.

## OFFICIAL LANGUAGES SERVICES

### 136. OFFICIAL LANGUAGES SERVICES

The *Official Languages Act* of the Northwest Territories guarantees Members the right to use any official language in the debates and other proceedings of the Legislative Assembly. As set out in the Act the official languages of the Northwest Territories are Chipewyan (Dëne Sųłíné Yatıé), Cree (Nēhiyawēwin), Tłı chų, English, French, Gwich'in (Dinjii Zhu' Ginjik), Inuktitut (ᐃᓄᐅᓂᓂᓂ), Inuvialuktun, Inuinnaqtun, North Slavey (Sahtú ot'ı nę Yatı' ) and South Slavey (Dene Zhatıé).

#### 136.1 OFFICIAL LANGUAGES SERVICES

At the outset of each Legislature, the Office of the Clerk will consult with each Member to determine interpretation or translation requirements. Daily during session, there will be interpreters situated in the glass booths on the floor of the Chamber.

#### 136.2 TRANSLATION OF DOCUMENTS

Written translation services, where reasonable and practicable, will be provided upon request for designated documents in any of the official languages. Designated documents include, but are not limited to, the Orders of the Day, Bills or Bill summaries, amendments to Bills, motions and committee reports.

### **136.3 BROADCAST SERVICES**

The Office of the Clerk works to provide public broadcasts of House proceedings in as many official languages as possible. The broadcast coverage will attempt to achieve equality of status and equal rights and privileges for all official languages.

Under the *Official Languages Act* copies of the sound recordings of the public debates of the Legislative Assembly, in their original and interpreted versions, shall be provided to any person on reasonable request. The Legislative Assembly's YouTube page has recordings of proceedings in many of the official languages.

## **LEGISLATIVE ASSEMBLY BUILDING**

### **137. LEGISLATIVE ASSEMBLY BUILDING**

To preserve the privacy and security of people and property within the Legislative Assembly building, there are restrictions on access to various areas within the building.

Security personnel are in the Great Hall to monitor access to the building. The Speaker is the ultimate authority on all matters relating to the use of the Legislative Assembly building. They may vary any portion of this Handbook relating to building use at their discretion.

Only Members of the Legislative Assembly and House Officers have access to the Chamber when the House is sitting. Access to the Chamber when the House is not sitting requires written permission of the Speaker, Clerk, or Sergeant-at-Arms. Permission must be received by Legislative Assembly security prior to being allowed to enter the Chamber.

### **137.1 ANIMALS**

The only exception to animals in the building is 'service animals'. Under federal law in Canada "service animal" is defined as "an animal that is required by a person with a disability for assistance and is certified, in writing, as having been trained by a professional service animal institution to assist a person with a disability". Service animals are most frequently dogs trained for one or more functions however, in some jurisdictions other species of animals may be considered as service animals.

### **137.2 BUILDING OCCUPANTS**

Everyone who works within the Legislative Assembly Building will be issued, and must wear at all times, a permanent security pass. This identifies their authorization and clearance to proceed to designated non-public areas of the building unescorted.

### **137.3 VISITORS**

Visitors wishing to view areas of the building open to the public or participate in a tour of the Legislative Assembly are not required to acquire a pass from security personnel.

A person visiting the office of a Member, Minister or staff in the Legislative Assembly building must inform security personnel and get a visitor's pass. Visitors, while in the Legislative Assembly building, must display their Visitor Pass at all times and be accompanied by the person or staff of the person they are visiting at all times.

### **137.4 FLAG PROTOCOL**

The Office of the Speaker is responsible for all flags displayed at the Legislative Assembly building and precinct. The Canadian flag and the flag of the Northwest Territories are symbols of honour and pride for all Canadians and residents of the Northwest Territories. All flags are treated with respect.

The correct procedures for flying the Canadian flag and other flags and standards, including the flag of the Northwest Territories, can be found on the Canadian Heritage webpage on Flag Etiquette. The half-masting of a flag is a formal gesture to respect a time of sorrow and mourning.

There are specific procedures involved when flags are at half-mast. Information on specific procedures for half-masting can be found on the Canadian Heritage website.

The Speaker will approve and direct the half-masting of flags displayed at the Legislative Assembly. This will include, when appropriate for the Northwest Territories, directions issued by Executive and Indigenous Affairs, Government of NWT, Canadian Heritage, Government of Canada.

Mandatory half-masting will also occur on the day (of the death or when notified) and again on the day of the funeral for the following:

- Upon the death of current and former Members of the Legislative Assembly of the Northwest Territories.
- Upon the death of current and former Commissioners of the Northwest Territories.
- Upon the death of current and former Members of Parliament and Senators who represent or have represented the Northwest Territories.

The Speaker also retains discretionary authority to determine when it is appropriate to half-mast the flags. In exceptional circumstances, the Speaker may approve the half-masting of the flags for matters not addressed above.

### **137.5 OFFSITE DEPARTMENTS**

Each offsite department is allocated a maximum of **six** permanent security passes for employees requiring frequent access to the building. These passes are assigned by the Deputy Minister of each department. They allow the bearer access to the secure areas of the building unescorted.

### **137.6 ACCESS TO OFFICES**

Other than in an emergency, access to an office by anyone other than the occupant is only permitted by invitation or prior permission of the occupant.

### **137.7 BISON ROOM**

No one other than Members and Office of the Clerk staff, in the performance of their duties, are allowed in the Bison Room during Session.

### **137.8 AFTER HOURS ACCESS TO OFFICES**

Members, staff, Constituency Assistants and invited guests entering the building after working hours are required to sign in and out at the security desk.

All occupants must vacate the Legislative Assembly building between the hours of 10:00 p.m. and 6:00 a.m., Monday to Friday. On weekends and statutory holidays, the building must be vacated from 6 p.m. to 8:00 a.m.

To allow time for the security officers to perform final patrols and to secure the building, all occupants must vacate the building one-half hour prior to the published closing time.

### **137.9 ALCOHOL AND CANNABIS**

The sale, possession and consumption of alcohol and cannabis is always prohibited in the Legislative Assembly Building except as authorized by this policy.

Alcohol and cannabis shall not be sold or distributed from the Legislative Assembly café.

The Speaker, has the sole discretion to authorize the serving of alcohol at approved private receptions on the following conditions:

- The private reception meets the criteria described in this Handbook and the Speaker has approved the serving of alcohol, in writing, at least ten days in advance.

- Alcohol is served by the Legislative Assembly’s catering contractor pursuant to its liquor license or, if the catering contractor is unable to provide this service, by a third party pursuant to a special event liquor license.
- The building is closed to the public at all times during which alcohol is served.
- The serving and consumption of alcohol during approved private receptions is restricted to the Great Hall and the Members’ Lounge.
- At least two Legislative Assembly Security staff are on duty at all times during which alcohol is served.
- The sponsoring Minister, Member or the Clerk of the Legislative Assembly is present at all times when alcohol is served.
- That no alcohol be served to persons who appear to be impaired from the use of alcohol or cannabis.

### **137.10 SMOKE FREE WORKPLACE**

Smoking is not allowed in the Legislative Assembly building. This includes tobacco, cannabis, and vaping.

Three smoking areas have been designated for the exterior of the building:

- Either side of the concrete plaza on the far side of the flagpoles.
- The far side of the building sign in the front of the building.
- The building occupants area located at the rear delivery entrance.

Each area is identified by a green line, which forms the non-smoking boundary. Members and employees found smoking in the building will be subject to the penalties and provisions of the City of Yellowknife smoking by-law or other sanctions as determined by the Speaker or the Sergeant-at-Arms.

### **137.11 MEETING ROOMS**

A Member who requires a room for meeting with constituents or other work relating to the Legislative Assembly, may book the room through the Speaker’s Administrative Coordinator. The Speaker retains the prerogative to reassign or cancel bookings without notice.

There are three meeting rooms available:

- Caribou Room (public access).
- Arctic Fox Room (secure area).
- Eagle Room (public access).  
Recording and interpretive services available.

The services a Member may request include catering, audio/visual set-up, recording and interpretation services. At the time of booking the Member should indicate which services they will require. Costs for services will be deducted from the Member’s Constituency Work Expense Allowance.

Meeting rooms are booked in the following priority:

- Committees (Special & Standing).
- Caucus.
- Cabinet.

No other groups may use the meeting rooms during session. However, at other times during the year, the Executive may book the Caribou Room, Arctic Fox Room or the Eagle Room through the Speaker’s Administrative Coordinator.

Entrance onto the floor of the Chamber requires the express written consent of the Speaker of the Legislative Assembly, the Clerk or the Sergeant-at-Arms. No other groups may use meeting rooms during a sitting.

### **137.12 PUBLIC USE OF THE LEGISLATIVE ASSEMBLY BUILDING**

When the Legislative Assembly building was designed, it was envisioned as the Place of the People. In this spirit the Great Hall may be used for non-partisan public meetings, displays and events.

### **137.13 THE GREAT HALL**

Groups may book the Great Hall for public meetings, displays and events at no charge. Bookings are made through the Speaker's Executive Assistant and approved by the Speaker.

Public events are restricted to the Great Hall. They require the support of a Member and confirmation by the Office of the Speaker.

Government departments wishing to use the Great Hall must have the support of their Minister.

### **137.14 LIMITATIONS**

The Legislative Assembly will allow public displays and events within the building, subject to the following limitations:

- All displays or events shall be non-partisan and sponsored by government or non-profit organizations only.
- The sale of merchandise is not permitted.
- Events which solicit funds are not permitted.
- All individuals and organizations interested in using the Legislative Assembly for a display or event should submit a formal written request outlining their requirements to the Speaker at least 10 working days prior to the date of the event/display.
  - » The request should contain the dates and times requested, the amount of display space required, the purpose of the function, and the reason why the display or event cannot be held in a private facility.
- All events within the building must comply with the hours of operation stated earlier, unless otherwise authorized by the Office of the Speaker or Sergeant-at-Arms.
- Events scheduled in the Great Hall during session must be completed one hour before session begins or begin one – half hour after session ends.
- The use of space within the Legislative Assembly will be considered on a first come first served basis.
- Display space will be allotted for a maximum of 10 consecutive working days. Displays may include photographs, video, written material or sample items. Displays may be staffed although free-standing displays are preferred.
- Setup of all display equipment and material shall be the responsibility of the organizer.
- The organizer will be responsible for any extra security or janitorial costs that may be necessary due to the display/event.
- The Legislative Assembly will not be held liable for the loss or damage of any of the exhibitor's property; and the exhibitor will be liable for damage to Legislative Assembly property.
- All approved event/display organizers must sign the Terms of Use for the Great Hall signifying their agreement to these limitations.
- The Sergeant-at-Arms will inform the applicant, at least five working days prior to the requested event/display date, as to whether the request has been accepted or denied.

Requests are considered by the Legislative Assembly based on:

- Their interest to visitors and residents.
- Whether or not they put the Legislative Assembly in a competitive position with private facilities.
- Whether or not they would be suitable with the image of the Legislative Assembly.

The Speaker has full and final authority over public use of the Legislative Assembly. The Speaker may deny requests for use of the Building at their discretion.

### **137.15 CATERED EVENTS**

Catered events in the Legislative Assembly building must be arranged directly with the Legislative Assembly in-house caterer.

The in-house caterer is the exclusive catering provider within the precincts of the Legislative Assembly. Should any individual or group making the booking wish to order from another provider for an event they are hosting, they shall coordinate their order(s) with the in-house caterer. The in-house caterer will place and pay for the outside order, and such payment may be invoiced. The in-house caterer will be responsible for the set up and take-down for such an event and will be entitled to charge a fee of an additional 25% for the cost of the outside order.

### **137.16 SPEAKER'S PREROGATIVE**

The Speaker may cancel any events or displays without notice, based on operational requirements. The Speaker reserves the right to refuse any material that is deemed inappropriate for display in/or around the Legislative Assembly building.

### **137.17 CAFE SERVICES**

Members are frequently required to work long hours in a day without lengthy breaks, particularly during Session or Committee meetings. Having a cafe on-site allows Members to eat regularly and in a healthy way, despite erratic working hours. The cafeteria is open to all Members, staff and the general public. The hours of operation may vary depending on the season. Refer to the Legislative Assembly Website for hours of operation.

### **137.18 SPECIALTY SERVICES**

Members requiring catering service for a meeting with constituents being held in the Legislative Assembly are asked to book directly with the Legislative Assembly in-house caterer.

The in-house caterer shall be the exclusive catering provider within the precincts of the Legislative Assembly. Should any Member of the Legislative Assembly wish to order from another provider for an event they are hosting, they shall coordinate their order(s) with the in-house caterer. The in-house caterer will place and pay for the outside order, and such payment may be invoiced. The in-house caterer will also be responsible for the set up and take-down of such an event and will be entitled to charge a fee of an additional 25% for the cost of the outside order. In this instance, receipts for the outside order must be submitted along with the invoice.

Member's requests for catering which are not eligible for reimbursement under the Constituency Work Expense Allowance will be billed directly to the Member. If a Member fails to meet that obligation, any outstanding amounts due will be recovered through the Member's indemnity or other outstanding expenses or allowances.



### 137.19 PRIVATE RECEPTIONS

The Speaker may, upon application from a Minister, Member or the Clerk of the Legislative Assembly, approve the hosting of a private reception at the Legislative Assembly based upon any of the following criteria:

- The private reception is held in conjunction with a national or international parliamentary conference, first ministers meeting, a meeting of federal, territorial and provincial ministers or a national meeting of independent statutory officers being hosted by the Speaker, Premier, a Minister, the Clerk of the Legislative Assembly or a statutory officer of the Legislative Assembly.
- The private reception is part of a larger conference being held in the Northwest Territories that is sponsored by the Speaker, Premier, a Minister, a Member or the Clerk of the Legislative Assembly and which has a direct and obvious connection to the priorities of the Legislative Assembly and the Government of the Northwest Territories.
- The private reception is held in conjunction with a larger conference that is taking place predominantly at private venues in the Northwest Territories.
- The private reception is held in conjunction with a national or international parliamentary conference, first ministers meeting, a meeting of federal, territorial and provincial ministers or a national meeting of independent statutory officers being hosted by the Speaker, Premier, a Minister, the Clerk of the Legislative Assembly or a statutory officer of the Legislative Assembly.
- The private reception is held in conjunction with a larger conference that is taking place predominantly at private venues in the Northwest Territories.
- The private reception is not for partisan political purposes.
- The reception sponsor is responsible for all additional costs associated with the event including set-up, tear down, additional security, catering, and janitorial.
- The location of the private reception is restricted to the Great Hall of the Legislative Assembly or the Bison Room. All non-public areas of the building will be cordoned off.
- The Speaker must authorize the serving of alcohol at a private reception.

Approved applications must adhere to the following conditions:

- Private receptions will not be authorized for personal celebrations such as weddings, funerals, birthday parties, retirements or anniversaries.
- The hosting of private receptions will not unduly compete with private sector venues.

## LEGISLATIVE ASSEMBLY VEHICLES

### 138. USE OF VEHICLES

The Legislative Assembly maintains a fleet of vehicles to provide transportation for Legislative Assembly Staff and Members while conducting business on behalf of the Assembly.

#### 138.1 RESTRICTIONS ON USE

Members having constituency duties while in Yellowknife are reminded that rental vehicles are readily available and may be charged against their Constituency Work Expense Allowance.

Vehicles are to be used for Legislative Assembly business only. Vehicles are not to be used, or seen to be used, for personal purposes.

Vehicles must be signed out and in at the security desk. Members or staff signing out the vehicle must hold at least a valid class 5 driver's license. The Sergeant-at-Arms or security personnel have the right to see the license before a vehicle is signed out.

All personal belongings and garbage must be removed from the vehicle after each trip.

The vehicles are provided with a parking meter and loading zone permit on the windshield. The Assembly will not pay traffic fines or towing charges incurred by a user of the vehicle. Payment of these is the responsibility of the user.

Smoking or the consumption of alcoholic beverages is strictly prohibited in any Assembly vehicles.

#### 138.2 USE OF VEHICLE OUTSIDE OF YELLOWKNIFE OR AFTER HOURS

Prior arrangements must be made with the Sergeant-at-Arms or the Clerk of the Legislative Assembly if a vehicle is required for after business hours, overnight use or outside of Yellowknife City Limits. The

Sergeant-at-Arms will ensure the vehicle is properly equipped with highway survival equipment for trips outside the city.

#### 138.3 ACCIDENTS

If an accident occurs the user must, as soon as reasonably practical, contact the Sergeant-at-Arms and complete an accident report form, found in the vehicle logbook in the glove compartment. If there is an injury of any kind or damage estimated at over \$1,000 to the vehicle or another vehicle or property, the RCMP must be notified immediately. If there is damage to a Legislative Assembly vehicle, the user may be held liable for the costs to repair the vehicle.

#### 138.4 ALLOCATION OF VEHICLES

A vehicle may be reserved in advance. Otherwise, vehicles will be allotted on a first come, first served basis. Operational requirements of the Legislative Assembly may limit the availability of vehicles.

## LEGISLATIVE ASSEMBLY PARKING

### 139. PARKING

Vehicles may be parked in the short-term parking zone located directly in front of the Legislative Assembly building for up to 30 minutes. This short-term parking area is monitored during normal business hours Monday to Friday. After 30 minutes the vehicle may be ticketed or towed at the owner's expense.

The Legislative Assembly has spaces designated for contractors working in the building and accessible parking. Vehicles parked in spaces designated as such that do not display valid parking tags are liable to be ticketed and towed. Any vehicles parked in the designated fire lanes may also be ticketed and towed at the owner's expense.

### **139.1 LEGISLATIVE ASSEMBLY PARKING LOT**

The Legislative Assembly has two parking lots. The main parking lot has 13 reserved and powered parking spaces and 42 public, non-powered parking spaces. The secondary parking lot has 21 reserved and powered parking spaces.

Parking spaces without power outlets are not assigned and are available for the general use of Legislative Assembly and Executive employees, guests, and the public, free of charge.

Allocation of spaces with power outlets is as follows:

- Members receive first consideration at the beginning of an Assembly only.
- The remainder of the spaces are allocated on a first come, first served basis to building occupants.

Those who wish a parking space with a power outlet must fill out a parking application form supplied by the Sergeant-at-Arms and submit it to the Sergeant-at-Arms. If necessary, the Sergeant-at-Arms will maintain a waiting list.

Individuals assigned parking spaces with power outlets will be charged a nominal monthly fee. Deductions for parking spaces are made from the annual indemnity on a bi-weekly basis and extended year-round.

If a renter relinquishes their parking space with an electrical outlet and re-applies at a later date, their name will be placed at the end of the waiting list.

Any individuals with reserved parking spaces must leave a spare set of keys with the Sergeant-at-Arms when their vehicles are expected to be parked for a period in excess of one week. Vehicles may be moved by the Sergeant-At-Arms for operational requirements such as snow and dust removal, public events, or road repairs.

## **EMERGENCY PROCEDURES**

### **140. EMERGENCY RESPONSE**

The Sergeant-at-Arms is responsible for the “Legislative Assembly Emergency Response Plan”. This plan addresses the coordinated response and preparedness of the Legislative Assembly security team, staff and Members to a range of potential emergency situations. The Sergeant-at-Arms provides orientation and training to Members on an on-going and as needed basis.

## **INTERPARLIAMENTARY RELATIONS**

### **141. COMMONWEALTH PARLIAMENTARY ASSOCIATION**

The Commonwealth Parliamentary Association (CPA) is an association of Commonwealth Parliamentarians who, irrespective of race, religion, or culture, are united by community of interest, respect for the law and the rights and freedoms of individual citizens, and by pursuit of the positive ideals of parliamentary democracy.

In providing the sole means of regular consultation between Commonwealth Parliamentarians, the Association seeks to promote understanding and cooperation among them and also to promote the study of, and respect for, parliamentary institutions throughout the Commonwealth.

Within the Commonwealth Parliamentary Association organizational framework, Canada is one region, which is made up of fourteen Branches: the federal Branch, ten provincial Branches and three territorial Branches.

### **141.1 CPA CONFERENCES**

The Commonwealth Parliamentary Association hosts annual conferences and seminars including:

- CPA General Conference and Small Countries Conference: An annual meeting of representatives of all branches to debate matters of parliamentary significance and topics of immediate concern in the Commonwealth and the world - Speaker or designate and one member are authorized to attend;
- Canadian Region Annual Conference: Annual meeting of all fourteen Canadian Branches - Speaker or designate and two members are authorized to attend;
- Canadian Region Seminar: Members may attend the fall seminar to study and compare parliamentary procedures and operations with other provinces and territories - Speaker or designate and one member are authorized to attend; and
- Presiding Officers' Conference: Annual professional development seminar for Presiding Officers of all Canadian jurisdictions - Speaker or designate and one other presiding officer are authorized to attend;

### **141.2 NORTHWEST TERRITORIES BRANCH**

The NWT Branch is an autonomous member of the Commonwealth Parliamentary Association and is composed of all Members of the Legislative Assembly.

### **141.3 EXECUTIVE COMMITTEE**

There is an Executive Committee of the NWT Branch comprised of five Members of the Legislative Assembly. The Speaker is the President of the Branch and the Chairman of the Executive Committee. The Premier

is the Vice-President of the Branch, and the remaining four members of the Board constitute the Executive Committee.

The Clerk of the Legislative Assembly is the Secretary to the Executive Committee.

### **141.4 BUDGET**

Through the annual estimates of the Office of the Legislative Assembly, the Assembly votes a sum of money sufficient to provide for membership fees to the Commonwealth Parliamentary Association in London and Ottawa, the operation of the NWT Branch and Members' attendance at CPA events.


### **141.5 TRAVEL**

Members are selected by the Executive Committee of the NWT Branch of the CPA to travel to CPA meetings and seminars. In the absence of a decision by the Executive Committee, Members may be assigned to attend a meeting or seminar by the Speaker.

Registration fees for Members and staff will be paid by the NWT Branch of CPA.

Approved travel expenses incurred on behalf of Members will be arranged and paid for by the Legislative Assembly. All travel must be undertaken in the most cost effective and economical manner. Members will also receive the daily meal and incidental expense allowance, when these are not included in the cost of registration or provided by the hosts, at the rate set by the Federal Treasury Board.

For non-international CPA functions, spouses' or designates' registration, travel, accommodation, and other costs are the personal responsibility of the Member. If the Member's spouse or designate are invited to attend an international CPA function the cost of a Business Class ticket can be converted to two economy/coach class tickets to cover the cost of the person accompanying the Member. All other costs such as registration, additional travel cost(s) etc. are the sole responsibility of the Member.



Members should refer to this Handbook regarding situations involving continuous air travel in excess of eleven hours. A Member will be entitled to a Business Class ticket for attendance at an International CPA function.

#### **141.6 PUBLICATIONS**

Every member of the Commonwealth Parliamentary Association is entitled to receive copies of the journals *The Parliamentarian* and *Canadian Parliamentary Review*, both published four times a year. These journals inform Members about the activities of the various CPA branches throughout Canada and the Commonwealth.







NORTHWEST TERRITORIES  
LEGISLATIVE ASSEMBLY  
TERRITOIRES DU NORD-OUEST  
ASSEMBLÉE LÉGISLATIVE

