



**FIRST REPORT**  
**OF THE**  
**STANDING COMMITTEE ON PROCEDURE, PRIVILEGES AND**  
**LEGISLATIVE OFFICERS**

**Fourth Session**

**Fifty-eighth Legislative Assembly**

**of the**

**Province of New Brunswick**

**December 5, 2017**

**MEMBERS OF THE COMMITTEE**

Mr. Albert, Chair  
Hon. Mr. Doucet  
Hon. Mr. Rousselle, Q.C.  
Mr. Guitard  
Mr. Boudreau  
Mr. Bernard LeBlanc

Ms. LeBlanc  
Ms. Dubé  
Mr. Northrup  
Mr. Jody Carr  
Mr. Savoie

December 5, 2017

To The Honourable  
The Legislative Assembly of  
The Province of New Brunswick

Mr. Speaker:

I am pleased to present the First Report of the Standing Committee on Procedure, Privileges and Legislative Officers.

The report recommends the adoption of a Statement on Roles and Responsibilities and Code of Conduct for Members of the Legislative Assembly of New Brunswick.

I wish to thank the members of the Committee for their contribution in carrying out our mandate.

And your Committee asks leave to make a further report.

Respectfully submitted,

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Hédard Albert, MLA  
Committee Chair

December 5, 2017

To The Honourable  
The Legislative Assembly of  
The Province of New Brunswick

Mr. Speaker:

Your Standing Committee on Procedure, Privileges and Legislative Officers begs leave to submit this, their First Report of the session.

On March 16, 2017, the Legislative Assembly of New Brunswick adopted the following resolution:

*WHEREAS all Members of the Legislative Assembly are elected representatives of the people of New Brunswick;*

*WHEREAS it is important that the role and responsibilities of MLAs be well understood by the public;*

*WHEREAS it would be helpful for Members of the Legislative Assembly to have guidelines to aid them in the conduct of their duties;*

*WHEREAS the effectiveness of MLAs, and their accountability to the people of New Brunswick, may be improved if the Legislative Assembly establishes a formal statement of the key roles and responsibilities of MLAs;*

*WHEREAS the Legislative Administration Committee recommended the adoption of a Statement on the Roles and Responsibilities of an MLA and a Code of Conduct for MLAs in its report to the Legislative Assembly tabled April 3, 2003;*

*BE IT THEREFORE RESOLVED THAT the Standing Committee on Procedure, Privileges and Legislative Officers take into consideration the adoption of a Statement on the Roles and Responsibilities of an MLA and a Code of Conduct for MLAs.*

The above resolution is the order of reference and forms the basis of the Committee's First Report. On December 5, 2017, your Committee met to consider the adoption of a statement on the roles and responsibilities of Members and a code of conduct for Members. Specifically, your Committee considered the statement and code recommended in the Legislative Administration Committee report referenced in the resolution.

Your Committee is in agreement that the adoption of a statement on the roles and responsibilities of Members and a code of conduct for Members is a positive initiative. The purposes of the statement and code will be to guide Members on the standards of conduct expected of them in the

discharge of their parliamentary and public duties and to provide New Brunswickers with a standard against which they can assess the performance of their elected representatives. A statement and code will serve as a constant reminder of what the public trust requires in terms of Members' obligations to colleagues, to constituents, and to all New Brunswickers.

The statement and code will be enforceable by the Assembly using the traditional methods within existing parliamentary practice. Enforcement by the Assembly under its existing powers represents a practical and reasonable mechanism for dealing with any alleged infringements.

The statement and code will have a visible public profile, through its publication as an appendix to the Standing Rules and its posting on the Legislative Assembly's website. It will also be provided to Members during their orientation.

## **RECOMMENDATIONS**

Your Committee therefore recommends the adoption of the following:

1. That the Standing Rules of the Legislative Assembly be amended by adding after Standing Rule 123 the following:

### **PART XIV**

#### **STATEMENT ON ROLES AND RESPONSIBILITIES AND CODE OF CONDUCT**

124(1) The Legislative Assembly shall, on the recommendation of the Standing Committee on Procedure, Privileges and Legislative Officers, establish a Statement on Roles and Responsibilities and Code of Conduct for Members, hereinafter referred to as the "Code".

124(2) The Code shall be printed as an appendix to the Standing Rules of the Legislative Assembly and in the Legislative Assembly of New Brunswick Members' Orientation Manual.

2. That the following Statement on Roles and Responsibilities and Code of Conduct for Members be added as an appendix to the Standing Rules of the Legislative Assembly:

#### **STATEMENT ON ROLES AND RESPONSIBILITIES AND CODE OF CONDUCT FOR MEMBERS OF THE LEGISLATIVE ASSEMBLY OF NEW BRUNSWICK**

#### **THE KEY ROLE AND DUTIES OF AN MLA**

As Members directly elected by the People of New Brunswick to represent them in the Legislative Assembly, we acknowledge and accept the responsibility thereby entrusted to us to serve the people of the Province honestly and conscientiously to the best of our abilities.

In furtherance of this commitment, the Members of the Legislative Assembly of New Brunswick further acknowledge that in carrying out their legislative duties, Members have the following responsibilities:

1. to first and foremost represent conscientiously the interests of the constituents of his or her electoral district;
2. to be accessible to the constituents of his or her electoral district and to assist his or her constituents regardless of their political affiliation;
3. to perform the duties of a legislator in the Assembly, by attending and participating in the proceedings of the Legislative Assembly;
4. to work for the advancement of the people and the Province of New Brunswick;
5. to uphold the principles of democratic governance;
6. to represent faithfully and loyally the Province of New Brunswick in all venues, be they local, provincial, national or international.

## **CODE OF CONDUCT**

1. The key principle of this Code is to maintain and promote public confidence and trust in the integrity of Members of the Legislative Assembly of New Brunswick as well as the respect and confidence that citizens place in the New Brunswick Legislature as an institution.
2. A further purpose of this Code is to provide guidance to the Members of the Legislative Assembly as to the standard of conduct expected of them in the discharge of their obligations to their constituents, the Legislative Assembly and the public at large.
3. This Code applies to Members in all aspects of their public life.

### **Public Duty**

4. By virtue of their oath or affirmation of allegiance, Members have a duty to be loyal to the people of New Brunswick and to perform the duties of Members honestly and justly in conformity with the laws of the Province of New Brunswick and the rules of the Legislative Assembly.

### **Duty as a Representative**

5. Members have a duty to be accessible to the people of the areas for which they have been elected to serve and to represent their interests conscientiously.

6. In representing people's interest, Members have a duty to respect individual privacy, unless there are overwhelming reasons in the wider public interest for disclosure to be made to a relevant authority, for example where a Member is made aware of criminal activity.

### **General Principles of Personal Conduct**

7. Selflessness

Members should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

8. Integrity and Honesty

- a) Members should not place themselves under any financial or other obligation to outside individuals or organizations that might influence them in the performance of their official duties.
- b) Members have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

9. Accountability and Openness

- a) Members are accountable for their decisions and actions to the public. They have a duty to consider issues on their merits, taking account of the views of others.
- b) Members should be as open as possible about their decisions and actions that they take and give reasons for their decisions and restrict information only when the wider public interest clearly demands.

10. Respect and Courtesy

In respect of the responsibilities outlined in this Code, the conduct of Members shall demonstrate respect and courtesy

- a) in all communications with constituents, regardless of political affiliation;
- b) in all interventions in the Legislative Assembly and towards its Members and Officers;
- c) by showing compassion and fairness toward all who seek their assistance;

d) for the cultural diversity of the Province of New Brunswick.

11. Leadership

Members have a duty to promote and support these principles by leadership and example.

**Generally**

12. Members shall base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.

13. Members shall at all times conduct themselves in a manner which will tend to maintain and strengthen the public's trust and confidence in the integrity of the Legislature and never undertake any action which would bring the Legislative Assembly or its Members generally into disrepute.

14. The provisions of this Code shall be taken into account by the Legislative Assembly in any proceeding relating to the conduct of an MLA.

15. This Code of conduct is not designed to be exhaustive and there will be occasions when Members will find it necessary to adopt more stringent norms of conduct in order to protect the public interest and to enhance public confidence and trust.