

THE NEWFOUNDLAND AND LABRADOR GAZETTE EXTRAORDINARY

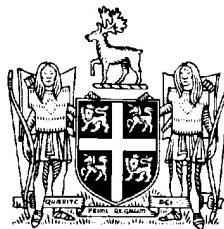
PART II

PUBLISHED BY AUTHORITY

ST. JOHN'S, MONDAY, AUGUST 29, 2022

**NEWFOUNDLAND AND LABRADOR
REGULATIONS**

**NLR 58/22
NLR 59/22**



**NEWFOUNDLAND AND LABRADOR
REGULATION 58/22**

*Proclamation bringing Act into force
(SNL2022 cM-20.11)
under the
Municipal Conduct Act
(O.C. 2022-199)*

(Filed August 29, 2022)

*ELIZABETH THE SECOND, by the Grace of God of the
United Kingdom, Canada and Her Other Realms and Territories
QUEEN, Head of the Commonwealth, Defender of the Faith.*

DENIS MAHONEY
Deputy Attorney General

JUDY M. FOOTE
Lieutenant Governor in Council

TO ALL TO WHOM THESE PRESENTS SHALL COME,

GREETING;

A PROCLAMATION

WHEREAS in and by section 28 of An Act Respecting the Conduct of Municipal Officials, Statutes of Newfoundland and Labrador 2021, Chapter M-20.11 (the "Act"), it is -provided that the Act comes into force on a day to be proclaimed by the Lieutenant-Governor in Council;

AND WHEREAS it is deemed expedient that the Act shall now come into force;

NOW KNOW YE, THAT WE, by and with the advice of Our Executive Council of Our Province of Newfoundland and Labrador, do by this our Proclamation declare and direct that An Act Respecting the Conduct of Municipal Officials, Statutes of Newfoundland and Labrador 2021, Chapter M-20.11, shall come into force on September 1st, 2022.

OF ALL WHICH OUR LOVING SUBJECTS AND ALL OTHERS whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

*Proclamation bringing an Act to into force under the
Municipal Conduct Act
(In Force September 1, 2022)*

58/22

IN TESTIMONY WHEREOF WE have caused these Our Letters to be made Patent and the Great Seal of Newfoundland and Labrador to be hereunto affixed.

WITNESS: Our trusty and well-beloved the Honourable Judy M. Foote, member of Our Privy Council of Canada, Chancellor of the Order of Newfoundland and Labrador, in and for Our Province of Newfoundland and Labrador.

AT OUR GOVERNMENT HOUSE, in Our City of St. John's this 29th day of August in the year of Our Lord two thousand and twenty-two, in the seventy first year of Our Reign.

BY COMMAND,

KRISTA LYNN HOWELL
Registrar General



NEWFOUNDLAND AND LABRADOR REGULATION 59/22

Municipal Conduct Regulations
under the
Municipal Conduct Act

(Filed August 29, 2022)

Under the authority of section 22 of the *Municipal Conduct Act*, I make the following regulations.

Dated at St. John's, August 11, 2022.

Krista Lynn Howell
Minister of Municipal and Provincial Affairs

REGULATIONS

Analysis

- | | |
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| 1. Short title | 6. Harassment and bullying |
| 2. Definitions | 7. Process where no manager appointed |
| 3. Definition for the purposes of the Act | 8. Orientation training |
| 4. Excluded private interest | 9. Commencement |
| 5. Code of conduct | |

Short title **1.** These regulations may be cited as the *Municipal Conduct Regulations*.

Definitions **2.** In these regulations,

(a) "Act" means the *Municipal Conduct Act*;

(b) "clerk" means a clerk appointed under the *Municipalities Act, 1999*, the *City of Corner Brook Act*, the *City of Mount Pearl Act* or the *City of St. John's Act*; and

(c) "orientation training" means the training required to be completed by a councillor and chief administrative officer under subsection 21(1) of the Act.

Definition for the purposes of the Act

3. In the Act, "reprimand" means a statement presented at a meeting of the council stating that a councillor or former councillor acted in a conflict of interest or contravened the code of conduct.

Excluded private interest

4. For the purposes of subparagraph 2(m)(vi) of the Act, a benefit or award less than \$500 is an excluded private interest.

Code of conduct

5. In addition to the matters prescribed in paragraph 12(3) of the Act, a code of conduct referred to in subsection 12(1) of the Act shall include provisions relating to

(a) the use of public resources and fraud;

(b) compliance with applicable legislation;

(c) the use of social media; and

(d) the prevention of reprisals against municipal officials and members of the general public who file a complaint.

Harassment and bullying

6. Harassment and bullying provisions referred to in subparagraph 12(3)(a)(iv) of the Act shall not be inconsistent with section 24.1 of the *Occupational Health and Safety Regulations, 2012*.

Process where no manager appointed

7. Where a municipality has not appointed a manager, acting manager, city manager or acting city manager, the duties of a chief administrative officer prescribed in sections 8 and 14 of the Act shall be performed by the clerk.

Orientation training

8. (1) In addition to the information prescribed in subsection 21(2) of the Act, orientation training shall include information relating to conflict of interest.

(2) A councillor shall complete orientation training within

(a) one year of the coming into force of the Act; or

(b) 60 days of being sworn or affirmed into office, where a councillor becomes a councillor more than one year after the coming into force of the Act.

(3) A chief administrative officer shall complete orientation training within

(a) one year of the coming into force of the Act; or

(b) 60 days of commencing employment where the chief administrative officer commences employment more than one year after the coming into force of the Act.

(4) Notwithstanding paragraph (2)(b), the minister may extend the 60 day time period at the request of a councillor.

Commencement

9. These regulations come into force on the day the Act comes into force.

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