

## **Briefing Note: Proposed Amendments to By-Law A-029 – Council Code of Conduct**

This briefing note summarizes the proposed amendments to Hartland’s By-Law A-029 – Council Code of Conduct. The changes are intended to align the by-law with current legal authority under the Local Governance Act (LGA), enhance clarity and enforceability, and meet municipal insurance standards.

### **Summary of Proposed Amendments**

#### **1. Authority to Enact**

Original Language: BE IT ENACTED by the Minister of Local Government and Local Governance Reform...

Updated Language: BE IT ENACTED by the Council of the Town of Hartland...

Rationale: Reflects current legal authority under the LGA; council now enacts its own by-laws.

#### **2. Effective Date Section**

Original Language: Signed by the Transition Facilitator on behalf of the Minister.

Updated Language: Signed by the Mayor and Clerk of the Town of Hartland.

Rationale: Aligns with LGA requirements for municipal by-law execution; the CAO’s signature is optional but not legally required.

#### **3. Expanded Definition of Confidential Information**

Original Language: Limited or implied confidentiality references.

Updated Language: Includes personnel matters, property negotiations, legal advice, and closed session content.

Rationale: Aligns with the Right to Information and Protection of Privacy Act (RTIPPA) and best practices for municipal confidentiality.

#### **4. Councillor Obligations**

Original Language: General ethical expectations.

Updated Language: Clear expectations for confidentiality, conflict of interest compliance, responsible use of resources, and respectful public communication.

Rationale: Enhances clarity and accountability; aligns with the Code of Conduct Regulation (NB Reg 2024-48).

## **5. Enforcement Mechanisms**

Original Language: Vague or absent enforcement provisions.

Updated Language: Penalties for breaches including reprimands, suspension, loss of pay, and referral to oversight bodies.

Rationale: Provides transparency and legal grounding under Section 191 of the LGA.

## **6. Insurance and Legal Compliance**

Original Language: No onboarding documentation required.

Updated Language: Councillors must sign a Confidentiality and Code of Conduct Acknowledgment Form during onboarding.

Rationale: Supports risk mitigation and aligns with municipal insurance standards.