

**ACCREDITATION AND ACCESS IN A CHANGING MEDIA LANDSCAPE:**

A cross-jurisdictional analysis of accreditation of Canadian legislative reporters and an examination of the issue of media access

**Respectfully submitted to the Government of Alberta**

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# EXECUTIVE SUMMARY

The Alberta government found itself at the centre of controversy after it ordered representatives of the online publication The Rebel News Network Ltd. (The Rebel) rejected from two media events in February 2016.

The government commissioned this report, asking for a cross-Canada study of practices pertaining to media access and accreditation and for recommendations on its media policies. In the meantime, it said, no one would be excluded from government media events.

This examination exposed a variety of strong and disparate feelings about who should be allowed into news conferences at the legislature and in other buildings (i.e., Government House in Edmonton and the McDougall Centre in Calgary) where reporters congregate for media events.

Most, but by no means all, of the people interviewed for this report felt that there are no circumstances whatsoever under which a government should decide who gets to ask it questions.

The issue grows more complex as opinions are expressed about who should decide how to grant political access and accreditation. Some feel that legislative press galleries should make those decisions, following carefully set criteria. Others believe that the Speaker of the assembly should control access. Some maintain that press galleries and the Speaker should actively combine forces – as happens on Parliament Hill – to oversee accreditation. Still others advocate a sort of free-for-all system, where people coming to the legislature should be required to clear security and observe legislative decorum, but that there should be no restrictions beyond that.

It is clear that no solution will satisfy all stakeholders. This report examines existing practices across the country and ultimately makes recommendations based on consensus and compromise.

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# RECOMMENDATIONS

- 1) Avoid developing a specific government media policy. Instead, when dealing with the media, be guided to various degrees by convention, common sense and a desire to keep access to legislative proceedings as open to as large a number of citizens as possible.
- 2) While wide-open access to legislative bodies may be ideal in a democracy, security concerns and the need to main a semblance of order make that impractical. The Alberta Government would be wise to follow the lead of other Canadian jurisdictions and let journalists decide questions of accreditation. This protects government from the perception of bias. This is not a perfect solution, and several journalists have made it clear they do not believe they should be subject in any way to control by their peers, but it appears to be the best compromise.
- 3) Anyone deciding on media accreditation and access should look to the Canadian Parliamentary Press Gallery as a general guide. It has been in existence for 150 years and has devised elaborate and carefully-thought-out mechanisms to deal with media accreditation. Those criteria are subject to regular review and the gallery executive is mindful of the need to be fair and flexible as forms of media evolve.
- 4) The Alberta Legislature Press Gallery says it lacks the resources to assume responsibility for day-to-day accreditation. Give serious consideration to setting up a mechanism akin to the Secretariat in Ottawa, where staff funded by the House of Commons assist the press gallery with accreditation of daily events. Funding could be made available via Alberta's legislative assembly through the Speaker's office – not through the government itself. Such a system could involve vetting of qualifications, security checks, and enforcement of rules and codes of conduct.
- 5) Press galleries across the country have denied accreditation to lobbyists and political parties. That said, media organizations and individuals should not be denied accreditation strictly on the basis of their point of view. Whoever decides on issues of accreditation must also take the evolving realities of new media into account.
- 6) Consider convening an annual meeting between the Alberta Speaker and the press gallery executive to discuss relevant issues and to nurture goodwill.



- 7) Continue to livestream news conferences, committee meetings, etc. Utilize new social media platforms as they emerge with a view to reaching as wide an audience as possible.
- 8) The Alberta Government should examine ways security concerns can be addressed while giving journalists easier access to the Federal Building, which is close to the legislature and frequently hosts committee and caucus meetings.

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# **AUTHOR'S TERMS OF REFERENCE:**

You may consider topics including but not limited to:

a) Provide advice to the government based on a cross-jurisdictional analysis of accreditation for Canadian legislative reporters, both federal and provincial, on topics including but not limited to:

- Accreditation processes and/or practices
- Restrictions – if any – on the types of media organizations whose employees can be accredited
- The accreditation of freelance journalists
- The accreditation of new media journalists, including bloggers and those affiliated with online-only websites
- Codes of conduct for accredited reporters

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# THE PROCESS

I consulted with scores of “journalists,” media outlets – both mainstream and new - academics, journalism umbrella groups, special-interest groups etc. Every provincial press gallery in the country contributed valuable information, for attribution, as did the Canadian Parliamentary Press Gallery in Ottawa. Many of the conversations were for my own background use, but almost everyone was generous with their time and gracious with me. I initiated much of the contact and also made a point of speaking with everyone who reached out to me to discuss this issue.

I met twice with a special committee struck by the Alberta Legislature Press Gallery to help me understand and delve into the history and practices and challenges at the Alberta legislative assembly.

My impressions were also informed by the countless tweets, Facebook posts and other opinions expressed – usually emphatically – via the very Internet which made this report necessary.

I am grateful to the following who agreed to be identified (in alphabetical order by surname):

Dale Bass, Chair, Canadian Association of Journalists  
Duane Bratt, Professor of Political Science, Mount Royal University  
Karen Briere, President of the Saskatchewan Press Gallery  
Duncan Cameron, President, rabble.ca  
Greg Clark, Leader, Alberta Party  
David Climenhaga, albertapolitics.ca  
David Cochrane, President of the Press Gallery of Newfoundland and Labrador  
Manon Cornellier, President of the Canadian Parliamentary Press Gallery  
Dave Cournoyer, davealberta.ca  
Jennifer Ditchburn, long-time member of the Canadian Parliamentary Press Gallery  
Tom Fletcher, President of the British Columbia Press Gallery  
Justin Giovannetti, Alberta Press Gallery  
Terry Guillon, long-time Canadian Parliamentary Press Gallery Chief who now works in the Prime Minister’s Office.  
Markham Hislop, Publisher, Canadian Energy News  
Adam Husak, President of the New Brunswick Press Gallery  
Duncan Kinney, Executive-Director, Progress Alberta  
Ian Koenigsfest, President of the Radio Television Digital News Association

Larry Kusch, President of the Manitoba Press Gallery  
Steve Lambert, Past-President of the Manitoba Press Gallery  
Ezra Levant, Rebel Commander, The Rebel  
Mark Lisac, editor and writer and former long-time member of the Alberta Press Gallery  
Paul McLoughlin, Alberta Press Gallery  
Marcella Munro, Stakeholder Outreach and Communications Manager, Premier's Southern Alberta Office  
Andrew Lundy, Vice-President, Digital, The Canadian Press  
Andrew MacLeod, Legislative Bureau Chief, The Tye  
Don Newman, former Senior Parliamentary Editor of CBC Television News and life member of the Canadian Parliamentary Press Gallery  
Cheryl Oates, Communications Director for the Premier of Alberta  
Jamie Parkinson, Prairies Regional Director, Canadian Freelance Union  
Caroline Plante, President of the Tribune de la Presse of Quebec's National Assembly  
Ric McIver, Interim Leader, PC Alberta  
Jean LaRoche, President of the Nova Scotia Press Gallery  
Randy Rath, President of the Ontario Press Gallery  
Rob Shaw, Vice-President of the British Columbia Press Gallery  
Wayne Thibodeau, President of the Prince Edward Island Press Gallery  
Kelly Toughill, Director of the School of Journalism, University of King's College

Alberta Liberal Leader David Swann and I tried several times in vain to connect by telephone.

Alberta Wildrose Leader Brian Jean said he appreciated the opportunity to discuss the issue but felt it was inappropriate for him to comment.

The interim leader of PC Alberta, Ric McIver, offered a brief comment, which is included.

I should add that I have heard from some who believe the government should never have commissioned this report, from others who feel the questions can and should be summed up in one sentence, and from others who feel it was just a matter of time before these issues surfaced and that a review might offer valuable guidance.

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# INTRODUCTION

Journalism – which turns out to be a loaded word – is caught in a strange time in history. The Internet has become a great leveller. Where once delivery of content cost a fortune, now anyone can send information around the globe instantly. The business model for mainstream newspapers is so badly broken that many so-called “legacy” products are failing and folding – or stripping down drastically. The online world is rushing in to fill the gap and rules and definitions are changing at dizzying speed – or should be.

First, a very basic question: What is a journalist? The answer is not simple. It used to be someone who reported or recorded information for a newspaper, magazine, radio or television station or the like. That person might have worked for a print version of The Globe and Mail, the Edmonton Journal, the Calgary Sun, for CBC TV or Radio, or for CHQR Calgary. And on it went. Now people calling themselves “citizen journalists” – armed often with nothing more than a smartphone, are tweeting and blogging and shooting and sharing video.

There have never been accepted standards for journalists in Canada. One does not require a university degree; one does not require a high-school diploma. Technically, one need never to have walked into a school of any kind. There is no governing body, such as the ones overseeing doctors, lawyers and engineers. There is no universally applicable Code of Ethics, although journalists are encouraged to look to the Radio Television Digital News Association and the Canadian Association of Journalists for guidance.

Ezra Levant, Rebel Commander, defines a journalist as anyone “who comments on the passing parade.”

Kelly Toughill, Director of Journalism at King’s University College in Halifax, suggests that journalists should be defined by their audience and purpose.

Andrew Lundy, Vice-President, Digital, for The Canadian Press, agrees the definition has blown up. Today, he says, a journalist is probably someone whose job is to report and/or comment on the daily news. That person could well be a blogger or someone operating on any social media platform.

Duncan Kinney of Progress Alberta says it’s someone who goes out there, makes calls, and reports.

Don Newman says he thinks anyone with a laptop and access to the Internet might think they're a journalist. But he says there must be some criteria to define a journalist and says probably being paid by somebody else for your reportage or your opinion is as good a way as any to define it.

Others say simply, "you'll know (a journalist) when you see one."

Prof. Duane Bratt notes there's a larger issue about what constitutes media in 2016 and going further. "You've got citizen journalists. You've got online journalists. It's a much tougher situation than what I think most governments in the past have been used to. "

Most journalists in the trenches don't even try to define the word anymore. Several people suggested that for the purposes of this report, it's more useful to try to define a news media outlet. Even that can be tricky.

Sean Holman, a journalism professor at Mount Royal University, told The Canadian Press that journalists have been defined in the past as those with the capacity to reach a mass audience and to convey information without a bias. Now, he says, those criteria are too simplistic. "The two tests are ... are they performing an accountability function, and are they doing so with the public interest in mind."

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# THE BACKGROUND

The Alberta government sparked an animated debate in mid-February 2016 when it ordered that representatives of The Rebel be expelled from two media events – a lockup in Calgary in advance of the release of a report on a royalty review and a visit by Prime Minister Justin Trudeau to the Alberta legislature.

Please refer to the appendix for an exchange of letters between prominent media lawyer Fred Kozak and the Alberta government. The controversy led to this review.

Press gallery members met and president Darcy Henton issued a statement saying journalists are not required to have accreditation from the Alberta Legislature Press Gallery to cover media conferences at the legislature. The statement continued:

"It has long been the practice in Alberta that reporters and photographers who present their news credentials to legislature security can acquire visiting media passes to cover news conferences.

"The Press Gallery supports the right of journalists to provide vigorous and diverse coverage of the Alberta Legislature."

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David Climenhaga, who writes a blog that also appears on rabble.ca, publicly suggested that perhaps it was time to abolish "Alberta's anachronistic press gallery."

The Canadian Association of Journalists weighed in, saying officials who control access to media lockups and press conferences do not control who gets to hold government to account.

Ian Koenigsfest of the Radio Television Digital News Association predicted that what happened in Alberta will probably also happen in other jurisdictions. Many others echoed his view, adding that "Alberta sort of stumbled into it by accident." One said Ezra Levant had raised an important question about access and accreditation.

It appears that no one has undertaken a serious study of the different ways press galleries function across the country. A number of press gallery presidents say they would appreciate knowing the practices elsewhere.

Climenhaga said many observers in the media and the blogosphere expected that this review would result in a recommendation to toss the “hot potato” into the laps of press gallery members.

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# WHO CONTROLS ACCESS TO NEWS CONFERENCES WITHIN LEGISLATIVE BODIES?

As an interesting side note, Canada operates in a much different way than the United Kingdom or the United States. There has not been time to include a review of their practices here, but it provides interesting reading for those inclined to do their own research.

The right to freedom of expression is enshrined in the Canadian Constitution and many argue that news media require access to information so they can provide full and accurate reports. There are several obvious options when it comes to deciding who grants access in Canada, some more appealing than others. None is perfect.

- 1) The Speaker can defer to the press gallery to make decisions on both full-time gallery membership and temporary (day-to-day) accreditation. That's a common Canadian practice, although a Speaker ultimately retains veto power.
- 2) A legislative assembly can provide logistical support to the press gallery in determining accreditation. Both the Canadian Parliamentary Press Gallery and the Tribune de la Presse in Quebec City operate with such support. If Alberta were to adopt such a system, presumably it could be funded through the assembly budget.
- 3) The government of the day can decide who gets accredited. The vast majority of people interviewed for this report felt this is a non-starter. A government could, at least in theory, grant more access – and the right to ask questions – to its supporters and could keep its detractors relatively quiet. One proponent of this option, Marshall Hislop of Beacon Energy News, issued an open letter as this report was being written, saying, "As one online journalist I had to be vetted by the Alberta government and I have yet to hear a single good reason why Ezra shouldn't be as well."
- 4) Legislature security staff can make the decisions. They could do so on their own or with guidance from the press gallery. Some assemblies prepare a list of approved news media, who can show up at security and request a pass. Either their umbrella organization (the Globe or CBC, as examples) vouch for them or security asks the press gallery to run checks. In some provinces, security has been unable to confirm an individual's identity and has granted

or rejected access and then checked with the gallery after the fact. Obviously this is not ideal.

Whatever system Alberta ultimately chooses to adopt, there must be shared communication and checks and balances.

The vice-president of the British Columbia Press Gallery, Rob Shaw, like many of his peers across the country, believes the first or second options are the most appealing. He put it this way: "It is an artful compromise that has been developed over the years to give journalists the say on their own membership because the alternatives are unpalatable."

The system seems to work best when there is an open and amicable relationship between the Speaker and the press gallery. In Quebec City, for example, the Speaker and the gallery sit down to breakfast once a year to thrash out issues.

CBC veteran Don Newman, who has worked in the press galleries in Saskatchewan, Manitoba, Ontario and Ottawa, has come to believe that accreditation works best when journalists themselves control the process. That means having a Speaker recognize the right of a press gallery to determine its membership and set the rules.

Ian Koenigsfest of the RTDNA says if someone has signed off on a code of conduct, hasn't broken any laws and is "a legitimate storyteller," they should be allowed to cover an event. He says press galleries generally are doing a good job vetting people within their jurisdictions.

Still others are adamant that the Alberta press gallery is a "legacy monopoly," and Postmedia representatives work for an organization which has publicly taken partisan positions. Those who hold this view predict that gallery decisions might be challenged in the courts.

Ezra Levant says if he were being "kept out by a cartel of my competitors who were exercising authority being delegated to them by the government," he would "sue in a flash."

The question of who should decide who asks questions of government is a particularly thorny one. In a democracy, the ideal would seem to be to allow citizens as much access to their legislative proceedings, including news conferences, as possible. But if the doors were wide open, there would be potential for bedlam – and it could be difficult for any reporter to have the chance to ask questions.

There's also an argument about preserving decorum. It would be almost impossible to function if large groups of protesters were given access to news conferences and were disruptive.

Legislative assemblies have long had rules to preserve decorum. There are dress codes, for example, and rules against clapping. It must be noted also that members of the public may sit in the public galleries across the country, although they generally may not shoot video.

A major issue that exists today and was not a factor years ago is security. Both the Alberta legislature and the federal Parliament Buildings have been scenes of violence, and that has meant changes to security procedures across the country.

The issue of security is a driving force behind the issue of who gets into government buildings and for what events. In fact, a significant number of people surveyed felt that if security were not paramount, doors could be thrown as wide open as possible.

Some argue that the best method, no matter who is deciding on accreditation, is to let people in first and expel them later if necessary. People say that anyone causing a disruption should be ejected, but not anyone quietly expressing a point of view. As one person put it, "you can't use access to ... interrupt or be disrespectful." Another person was more blunt, "you can't use access to act like an idiot."

Some people dismiss the suggestion that a legislature would be inundated if there were wider access. Levant says this. "If you had 1,000 people wanting to come to a royalty review technical lockup, that's probably a sign that the government is doing something so awful that you ought to let a thousand people in."

Perhaps the crowding issue is a red herring. Technology has contributed to the problem and technology can help solve it. In much the same way that courthouses offer overflow rooms to allow both media and spectators to follow proceedings in more sensational cases, legislative assemblies can offer live feeds that can be monitored by anyone with an Internet connection.

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# FREELANCERS

Most press gallery constitutions allow for the inclusion of freelancers. The rules are spelled out and no gallery has reported any problems.

Jamie Parkinson, Prairies Regional Director for the Canadian Freelance Union, wants Alberta to extend the same courtesy granted other reporters to members of his organization when it comes to press passes. While, as noted, freelancers are nothing new to galleries across the country, the CFU boasts a lot of bloggers as card-carrying members. The rules for bloggers are not so clear across the country (see section on individual provinces).

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# **NEW MEDIA (DIGITAL) – WEBSITE, BLOGGERS, “CITIZEN JOURNALISTS”**

Andrew MacLeod is with The Tyee, which describes itself as an independent online magazine that publishes news, reviews and commentary not typically covered by B.C. and Canada’s mainstream media. He went to the legislative assembly in Victoria in 2007 with a letter from his publisher asking for full-time gallery membership. Things went smoothly. That meant he was entitled to space, a desk, an Internet connection and access to a phone line – the same privileges full-time gallery members get across the country. The press gallery in British Columbia says it starts from the view that it doesn’t want to rule people out.

The B.C. gallery once had a blogger, almost by default. It was someone who once had several clients and then they fell away and he was left with just his blog. No one questioned his right to belong.

The Canadian Parliamentary Press Gallery has accepted numerous online publications, include Vice, BuzzFeed, The Huffington Post and others.

Rabble.ca is a national online, non-profit publication which says its mandate is “to represent the country with national and regional coverage of news from and about Canada’s social, labour and environmental movements, and to respond to the pro-corporate, and at that time growingly overtly conservative, coverage from Canada’s highly concentrated mainstream media.” It has a full-time member in the Parliamentary gallery.

The Rebel, also an online publication, bills itself as the “fearless source of news, opinion and activism that you won’t find anywhere else!” Although some take issue with the fact that it identifies as an activist organization, a freelancer working for The Rebel has been granted membership in the Parliamentary gallery.

iPolitics, an online site that publishes content “every day, throughout the day,” has also been granted status by the Parliamentary gallery.

Progress Alberta has officially applied for membership in the Alberta gallery. Executive Director Duncan Kinney says there’s tremendous value in

providing a space for people to go and work on their stories. "We're talking about a public building. I and other journalists are committing a public service. Making space available to them makes sense."

Rabble.ca has discussed opening legislative bureaus in Alberta and British Columbia, staffed with accredited correspondents, although rabble.ca's Duncan Cameron says funding such ventures remains a challenge without public support.

There are two bloggers who show up regularly for events in the Alberta gallery, although they do not have press gallery membership - David Climenhaga (albertapolitics.ca) and Dave Cournoyer (davealberta.ca). Both work for the Alberta Nurses Union. The two decided long ago not to ask questions, largely for fear that might give the gallery grounds to expel them.

The Tyee's MacLeod asks why online should be seen as any different from print. Newspapers now have websites as well. He points to a Statistics Canada readership report that says TV and newspaper audiences are declining, radio is flat, and online media is drawing a far larger audience than it did a decade ago.

Don Newman was asked what he thinks the media landscape might look like two decades from now. He believes corporate entities will be there in some form and that words and images will all blend together online. The big question, he says, is whether news will be advertiser-based or subscriber-based.

Andrew Lundy, Vice-President, Digital, for The Canadian Press, says the question of size or reach seems pretty flexible. His view is that there's a strong chance that the idea of official credentials will continue to erode, as digital allows so many varied voices to create and cover government news. He goes further: "The question for governments may come down to a simple question of space for things like news conferences and lockups."

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# **LEGAL CONSIDERATIONS**

Canadian courts have not provided a great deal of direction to help define the word “journalist,” although they acknowledge that the media landscape is changing. It used to be a relatively simple matter to determine if a media outlet had been in contempt of court. Now information from a case can pop up online in many forms on numerous platforms.

The Supreme Court itself has written that recent defamation cases involve blogs and other online media, “which are potentially both more ephemeral and more ubiquitous than traditional print media.”

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# **SOME RELEVANT QUOTES**

“Perhaps it’s my destiny to be the lightning rod on so many of these cases because I’m mouthy.” - Ezra Levant

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“If you say that everybody who calls themselves a journalist is now invited to a press conference or a lockup, do I simply hold a piece of paper and say ‘This is Duane’s Press and I’m now a journalist? ... you could be inundated. At the same time, where do you draw the line? It’s a problem that didn’t exist two weeks ago, but it’s a problem that exists for the government right now.” – Duane Bratt

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“It would be a wonderful problem if we were overwhelmed by people fascinated by the work that we do in the legislative assembly.” – Greg Clark

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“If you believe what you’re doing is right, you engage with everyone, not just people who are predisposed to agree with you.” - Andrew MacLeod

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“Government should keep its nose and fingers out of the issue altogether ... and not try to limit who reports on them.” – Ric McIver

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# **HOW OTHER CANADIAN JURISDICTIONS DEAL WITH THE ISSUE OF MEDIA ACCREDITATION**

This section looks specifically at the processes in every province and on Parliament Hill. In most cases, the Speaker of the House defers to the press gallery in question, while in some instances, the Speaker's office approves or declines applications for media accreditation and access, but does so in consultation with the relevant press gallery. (The only exception appears to be Alberta – see below.)

The vast majority of people surveyed for this report expressed the opinion that the government of the day should not be the gatekeeper to access. Nor, they said, should it decide who does and does not have the right to ask it questions. There was also agreement that a decision to accept or decline an application for accreditation, or to admit or expel someone, should not be based on their point of view.

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# Alberta

The Alberta Legislature Press Gallery has been in existence for 100 years.

As with most jurisdictions in Canada, the legislative assembly – through the Speaker – grants the gallery the power to decide who should be full members. Membership entitles journalists to a security pass, office space (assuming enough space is available – which it is these days), a desk, an Internet connection, access to a telephone and 24/7 access to their offices.

The gallery does not control the comings and goings of visiting news media. Journalists who are not full-time gallery members show their identification to a security guard at the door. Generally, if they say they are media, they are allowed in – although they must first go through a security processing area.

The gallery has taken the position that it lacks the resources to help vet requests for temporary accreditation.

While there have been few issues up to now, the recent situation indicates that a more formal system could be useful.

Representatives of the following outlets currently have full membership in the gallery:

- Alberta Scan
- Calgary Herald
- CBC Radio
- CBC Television
- CTV Edmonton
- Edmonton Journal
- Edmonton Sun
- Global TV
- Globe and Mail
- Radio-Canada
- The Canadian Press

If a blogger were to apply now, the application would be considered – in the context of the gallery's constitution.

Progress Alberta has made a formal application for membership and rabble.ca is considering doing so as well.

The constitution of the Alberta Press Gallery, which follows, was revised in the summer of 2015.

## ALBERTA LEGISLATURE PRESS GALLERY ASSOCIATION CONSTITUTION

BE IT ENACTED as the Alberta Legislature Press Gallery Association (hereinafter called "the Association") as follows:

### PRECEDENCE

1. This Constitution supercedes all previous constitutions of the Alberta Legislature Press Gallery Association

### CONDITIONS OF MEMBERSHIP

1. There shall be two classes of membership in the Association as follows:

- (a) active;
- (b) temporary.

2. Membership in the Association shall be established as follows:

a) Active membership in the Association shall be limited to individuals whose written applications for active membership in the Association have been accepted by resolution of the executive committee of the Association;

(b) Temporary membership in the Association shall be limited to individuals whose written applications for temporary membership in the Association have been accepted by resolution of the executive committee of the Association or by the person or persons designated by the Board to consider such applications.

3. Active membership in the Association shall be open only to journalists, photographers, camerapersons, soundpersons, and other professionals whose principal occupation is reporting, interpreting, editing or analyzing Alberta Legislature or provincial government news on a continuing basis who require the use of Gallery facilities to fulfil their functions.

Members shall each adhere to generally accepted journalistic principles and practices as are understood and determined by the Association from time to time.

4. Temporary membership in the Association shall be open to bona fide journalists, photographers, camerapersons, soundpersons, and other professionals whose principal occupation is reporting, interpreting, editing or analyzing the Alberta Legislature or provincial government news and who are assigned to the Alberta Press Gallery on a continuing basis who do not require day-to-day access to all Gallery facilities.

Temporary membership in the Association shall also be open to sponsored students enrolled in a full-time journalism program. Temporary members shall have such rights and obligations as determined by the executive committee, but shall not have the right to vote or the right to attend any meeting of the members of the Association.

5. The executive committee of the Association shall have the power, subject to the approval of a meeting of the members of the Association, to set and vary from time to time a membership fee.

6. Any member may be expelled from membership by a majority vote of the members present in person at any special general meeting of members, in the event that such member uses his membership or the facilities of the Gallery to obtain a benefit other than by journalism, including activities such as the representation of interests of political parties, governments, extra-parliamentary groups or clients.

Any member who shall be subject to a vote at a general meeting regarding such member's expulsion from the Association, shall be entitled to a hearing before the executive committee within a reasonable time prior

to the said meeting of the members, and the executive committee shall, based on the evidence provided at such hearing, make a recommendation regarding the expulsion of such member to the members at the meeting called for such purpose.

#### HEAD OFFICE

7. The head office of the Association shall be located at the Alberta Legislature.

#### EXECUTIVE COMMITTEE

8. The property and affairs of the Association shall be managed by an executive committee composed of four (4) executive members.

9. Executive members shall be eligible for re-election at a meeting of members called for that purpose.

10. The qualification of an executive member shall be membership in the Association and being ordinarily resident in Canada.

11. The office of executive member shall be automatically vacated:

(a) if an executive member shall resign his office by delivering a resignation to the secretary of the Association;

(b) if he/she is found to be a lunatic or becomes of unsound mind;

(c) if he/she becomes bankrupt or suspends payment or compounds with his creditors;

(d) if at a special general meeting of members called for that purpose a resolution is passed by two-thirds of the members present at the meeting that he/she be removed from office;

(e) on death;

(f) if an executive member shall indicate in writing to the president his intention to seek another position on the executive committee.

Provided that if any vacancy shall occur for any reason, the executive committee may by resolution fill the vacancy with a qualified member until such time as the executive committee shall call a general meeting for the purpose of filling such vacancy, and the executive committee shall arrange for such general meeting as soon as is reasonably practical.

12. The executive members may exercise all such powers of the Association as authorized by these bylaws required to be exercised by the members at general meetings.

13. The executive committee members of the Association shall be the president, vice-president, secretary and treasurer and such other officers as a general meeting of members may by by-law determine.

14. Executive committee members of the Association shall not be entitled to any remuneration but shall be entitled to be reimbursed for actual out-of-pocket expenses incurred by them on behalf of the Association as may be approved by resolution of a general meeting of members.

15. The officers of the Association shall hold office until their successors are elected in their stead and may be removed by a majority vote of the active members present at a general meeting of the members called for such purpose in accordance with the terms of these by-laws.

## DUTIES OF EXECUTIVE COMMITTEE MEMBERS

16. The President shall:

- (a) be the chief executive officer of the Association;
- (b) preside at all meetings of the Association and of the executive committee;
- (c) enforce the rules of order at all times and have the power to interpret them;
- (d) see that all orders and resolutions of the executive committee are carried into effect and the president or the vice-president with the secretary shall sign all bylaws of the Association;
- (e) have the general management of the affairs of the Association;
- (f) be the official spokesperson of the Association in dealings with persons and organizations having business to transact with the Association.

17. The Vice-President shall:

- (a) in the absence or disability of the president, perform the duties and exercise the power of president;
- (b) have responsibility for office space, parking and installations in the Gallery, in consultation with the executive;
- (c) perform such other duties as shall from time to time be prescribed by the executive committee.

18. The Secretary shall:

- (a) attend all meetings of the executive committee and all meetings of the members and act as secretary thereof and record all votes and minutes of all proceedings in the books to be kept for that purpose;
- (b) give or cause to be given notice of all meetings of the members and of the executive committee;
- (c) present to each meeting of the executive committee or the members as the case may be, the minutes of the previous meeting of such meeting, such approval being confirmed by the signature of the president on each such set of minutes;
- (d) conduct all official correspondence having to do with Gallery business, at the direction of the president, the vice-president, the executive committee or the Gallery in a general meeting of the Association and;
- f) perform such other duties as may be prescribed by the executive committee or president, under whose supervision the secretary shall be.

19. The Treasurer shall:

- (a) collect all membership fees and other revenues accruing to the Association;
- (b) have the custody of the Association's funds and securities;
- (c) keep full and accurate accounts of receipts and disbursements in books belonging to the Association;

- (d) deposit all monies and other valuable effects in the name and to the credit of the Association in such depositories as may be designated by the executive committee from time to time;
- (e) disburse the funds of the Association as may be ordered by the executive committee, taking proper vouchers for such disbursements, and shall render to the president and executive members at the regular meeting of the executive committee, or whenever they may require it, an account of all such transactions carried out by the treasurer and of the financial position of the Association;
- (f) perform such other duties as may from time to time be determined by the executive committee.

#### EXECUTIVE COMMITTEE RESPONSIBILITIES

- 20. The property and affairs of the Association shall be managed by the executive committee composed of the president, vice-president, secretary, and treasurer of whom three (3) shall constitute a quorum and in the case of an equality of votes, the president in addition to his original vote shall have a second or casting vote.
- 21. The executive committee shall decide on all applications for membership in the Association. The executive committee shall grant active and temporary memberships upon being satisfied in its discretion, of the bona fides of the applicant in qualifying as either an active or temporary member. A majority of votes of the executive committee shall decide all matters properly put before it unless otherwise expressly provided for in these by-laws. Where the executive committee is unable to reach a majority decision on any matter put before it, the question shall be referred to a general meeting of the members of the Association.
- 22. The executive committee shall have the power to make disbursements from corporate funds and any such disbursement may be made by issuance of a cheque signed by the treasurer and one other officer.
- 23. The executive committee shall report all decisions made by it to the general membership of the Association at the first general meeting held following the making of such decisions at a meeting of the executive committee.

#### MEETINGS

- 24. The annual general meeting of the members of the Association shall be held at the head office of the Association as the executive committee may direct. Notice of such meeting in written or electronic format shall be given to each member. At such meeting the members shall elect the officers and executive members of the Association and receive a report of the executive committee.
- 25. The personal attendance by at least six (6) of the active members of the Association shall constitute a quorum for any general meeting. At all meetings of members of the Association every question shall be determined by a majority of votes unless otherwise specifically provided by these by-laws. Each member present at a meeting shall have the right to exercise one vote but in event of an equality of votes the president shall have a second vote or casting vote.
- 26. The president shall be entitled to call general meetings of the Association from time to time.
- 27. Any active members totalling six (6) of the active membership of the Association from time to time desiring that a general meeting be held may make application to the executive committee for such meeting to be held. Such a meeting shall be called promptly after the application is made to the executive committee.
- 28. Meetings of the executive committee shall be held from time to time at the head office of the Association at such time as shall be determined by the president at the call of the president.

29. Any active members totalling four (4) of the active membership of the Association shall be entitled to call a meeting of the executive committee from time to time by making application in writing for a short meeting to be held and in such case a meeting of the executive committee shall be held promptly.

30. The recognized rules of parliamentary procedure shall govern at all general meetings and "Robert's Rules of Order" shall be the authority in any case where a question arises as to the proper rules of order or procedure.

31. Any active members totalling eight (8) of the active membership of the Association may make, in writing, an appeal to the secretary against any decision or action of the executive committee and in cases of such appeal being made, the president shall within three (3) days of the filing of such appeal, call a general meeting for discussion of the matter in question, and the majority vote of such general meeting on such matter shall be binding on the executive committee. The executive committee may, if unable to arrive at a decision on any matter coming before it, submit such a matter to a general meeting of the Association and shall, in such case be bound by a majority vote of the active members present at such general meeting.

## COMPLAINT PROCEDURES

### Definitions

In these procedures,

"complaint" means a complaint submitted pursuant to Gallery by-law no.10;

"complainant" means a member who has submitted a complaint in accordance with these procedures;

"executive" means the persons appointed as the officers of the Association, which for the purposes of these procedures shall operate in accordance with the opinion of the majority thereof, provided that if the members of the executive are evenly divided on any matter, that matter shall be disposed of in accordance with the opinion of the president or the person appointed by the executive to carry out the functions of the president under these procedures, as the case may be;

"member" means a person who at the time of the matter referred to in a complaint was a member of the Gallery;

"party" means a complainant and a person alleged in a complaint to have engaged in serious misconduct as defined in By-Law No. 10 and "parties" is the plural thereof;

"president" means the president of the Gallery; and

"serious misconduct" means conduct as defined in by-law no.10 of the Corporation.

### Filing a Complaint

1. A complaint shall be in writing and may be submitted electronically.
2. A complaint shall identify:
  - a. The name of the person who is filing the complaint;
  - b. the member or members whose conduct is alleged to constitute serious misconduct;
  - c. the particulars of the serious misconduct and any other matters that the complainant considers relevant to the consideration of the complaint by the Executive;
  - d. the representations of the complainant, if any, regarding the action that the complainant considers it appropriate for the executive to take if the complaint is upheld; and

- e. any request for confidentiality on the part of the executive during the consideration of the complaint.
3. A complaint shall be delivered to the president, who shall acknowledge receipt of the complaint and provide the complainant with a copy of these procedures, provided however that if the president is not available to receive the complaint or if the complainant considers the president to be in a conflict of interest with respect to the complaint, the complaint shall be delivered to another member of the executive who is available and not considered by the complainant to be in a conflict of interest. The executive shall appoint a member to act in the place of the president for the purpose of the implementation of these procedures and the president shall not be involved in the consideration of the complaint until the president is available or the executive determines that the president is not in a conflict of interest with respect to the complaint.

#### Receipt of a complaint

4. On the initial review of a complaint the president shall determine whether the complaint should be first considered by the executive immediately or at the next regularly scheduled meeting of the Executive, and if immediately the president shall call a meeting of the executive for that purpose.
5. The executive shall take all reasonable measures to maintain the confidentiality of the parties in a way considered to be consistent with fairness to the complainant and the person/s identified in the complaint as having engaged in serious misconduct.
6. After the initial review of a complaint the president shall provide the member(s) whose conduct is alleged in the complaint to constitute serious misconduct with a copy of the complaint and any representations or materials that were filed by the complainant with the complaint a copy of these procedures.

#### Consideration of a complaint

7. On its first consideration of a complaint or at any time thereafter the executive shall:
  - a. determine if the complaint:
    - i. is frivolous and/or vexatious, or
    - ii. does not describe matters that could constitute serious misconduct, or
    - iii. pertains to matters that have already been disposed of by the executive in response to a complaint,

and if so inform the complainant and the person alleged in the complaint to have engaged in serious misconduct that the complaint will not be given further consideration by the Executive;

- If the complaint is given further consideration, the executive shall:
- b. determine whether the conduct that is the subject of the complaint is under consideration in any other process or proceeding such that, in the view of the Executive, it would be appropriate for the executive to suspend some or all elements of its consideration of the complaint pending further progress in that other process, and if the executive so determines, it may resume its consideration of the complaint at any time;



- c. determine if it is appropriate to obtain information from persons who might have knowledge of the matters set out in the complaint, and if so establish a process for obtaining that information;
  - d. determine if it is appropriate to obtain the assistance of an independent party to investigate and report to the executive regarding the allegations in and circumstances surrounding the complaint, and if so retain a person whom the executive assesses to be appropriately independent and qualified to undertake the investigation;
  - e. determine if it is appropriate to invoke a mediation process, with or without the assistance of third party mediators, and if so, establish the particulars of that process; and
  - f. establish a date upon which, if a complaint has not been resolved by mediation or otherwise, the complainant and the person(s) alleged in the complaint to have engaged in serious misconduct may make oral representations to the executive with respect to the complaint.
8. The substance of the information obtained by the executive through inquiries as described in section 7(c), and a copy of any report from an independent party as described in section 7(d), shall be provided to the parties no later than 10 days before the date on which those parties are scheduled to make oral representations to the executive with respect to the complaint.
  9. The parties may make submissions in writing to the executive in response to any information and/or report obtained by the executive in relation to the complaint.
  10. The parties may make oral representations to the executive regarding the complaint and may be accompanied by advocates for the purpose of such representations.
  11. A complaint may be withdrawn at any time after it is submitted, in which case the executive may, but is not required, to terminate its consideration of the complaint.
  12. At any stage in its consideration of a complaint the executive may invite the parties to resolve the complaint in a manner proposed by the executive or by way of mediation or further mediation, as the case may be.

#### Recommendations

13. When it has completed its consideration of a complaint the executive may:
  - a. if the executive determines that the information before it in relation to the complaint establishes that there has been serious misconduct:
    - i. restrict the privileges normally associated with the membership of the offending member(s) in a manner that doesn't impede his or her ability to work for a period not greater than twelve (12) months; or
    - ii. make a recommendation to the members of the Association that the membership of the offending member(s) be suspended or terminated; or
  - b. if the executive determines that the information before it in relation to the complaint does not establish that there has been serious misconduct, conclude its consideration of the complaint without further action.
14. If the executive makes a recommendation to the members of the Association with respect to a complaint, it shall provide the members with:
  - a. the complaint;

- b. the written representations of the parties;
- c. the information obtained by the executive in relation to the complaint; and
- d. the recommendation of the executive, together with any reasons that the executive considers it appropriate to provide to the members with respect to the recommendation.

#### AMENDMENT OF BY-LAWS

32. The bylaws for the Association may be repealed or amended by a by-law enacted by a majority of the executive committee at a meeting of the executive committee and sanctioned by an affirmative vote of the members at a general meeting duly called for the purpose of considering the said by-law.

#### FISCAL YEAR

33. The fiscal year of the Association shall terminate on the 31st day of December in each year.

#### AUDITORS

34. The members shall at each annual meeting appoint an auditor, not being a member of the Association, to audit the accounts of the Association and to hold office until the next annual meeting, provided that the executive committee may fill any casual vacancy in the office of auditor. The remuneration of the auditor shall be fixed by the executive committee.

#### EXECUTION OF DOCUMENTS

35. Contracts, documents or other instruments in writing requiring the signature of the Association may be signed by the president or the vice-president and the secretary, and all contracts, documents and instruments in writing so signed shall be binding upon the Association without any further authorization or formality. The executive committee shall have power from time to time by resolution to appoint any member of the executive committee on behalf of the Association either to sign contracts, documents and/or instruments in writing.

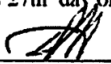
#### RULES AND REGULATIONS

36. The executive committee may prescribe such rules and regulations not inconsistent with these bylaws relating to the management and affairs of the Association as they deem expedient, provided that such rules and regulations shall have force and effect only until the next annual meeting of the members of the Association when they shall be confirmed, and in default of confirmation at such annual meeting of members shall at and from that time cease to have any force and effect.

37. In the case of a question concerning singular or plural, or masculine or feminine, these bylaws shall apply with all grammatical changes necessary.

38. For the purposes of approval of this constitution, the executive members shall be authorized and directed to grant active membership in the Association to each and every active member of the unincorporated organization known as the Alberta Legislature Press Gallery Association as of the date of such general meeting. No and no active or temporary member of the unincorporated organization known as the Alberta Legislature Press Gallery Association shall be required to submit a written application for membership in the Association as required by by-law no. 2, provided that this by-law shall be of no force and effect after the said first general meeting of the members of the Association.

ENACTED this 27th day of July, 2015

  
\_\_\_\_\_  
PRESIDENT

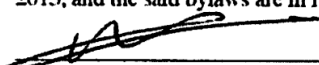
  
\_\_\_\_\_  
SECRETARY

The undersigned, being all the executive members of the Association hereby sign the foregoing bylaws pursuant to the provisions of the Canada Association Act.

DATED this 27 day of July, 2015

\_\_\_\_\_

CERTIFIED that the foregoing is a true and complete copy of bylaws nos. 1 to 38 of the Alberta Legislature Press Gallery, which bylaws were fully enacted by the executive committee of the Association on the 27 day of July, 2015, and were subsequently approved, ratified and confirmed by the unanimous vote of all the members on the 27 day July, 2015, and the said bylaws are in full force and effect.

  
\_\_\_\_\_  
SECRETARY

Alberta Legislature  
The Alberta Press Gallery, Edmonton  
27 July 2015

## British Columbia

The B.C. Legislature Press Gallery currently has 23 full-time members, although that number fluctuates and there are a couple of vacancies in agencies which have had members in the past and are looking to fill vacant positions. There are four honorary lifetime members as well. Dues are \$150 a year.

Gallery President Tom Fletcher answered several questions and then deferred to Vice-President Rob Shaw, who recently undertook a review of practices in several other legislature press galleries as B.C.'s gallery reworked its document (which follows).

The Speaker defers to the press gallery on questions of membership. When someone shows up requesting a day pass, security will phone the press gallery to check. Members of an already-recognized outlet are generally admitted, so long as a gallery member vouches for them. If security can't reach anyone, they end up making a judgment call on their own and the issue is raised afterwards.

The legislature gets a fair bit of day-pass traffic, with an increasing number of people asking for admittance to news conferences. Most are "recognized" media. Very few new media representatives actually come to events. It is also possible for people to sit in the public gallery.

The Tyee, an Internet news outlet, is a member. A blogger, however, was not granted accreditation. The gallery once had a blogger by default, who also had a radio show and a column in an alternative weekly. The gallery has not had a flood of requests for temporary accreditation.

Many news conferences in B.C. are held inside the main foyer of the legislature building or outside, where virtually anyone can ask questions. One needs at least a guest media pass to enter a restricted area.

The gallery has worked to find principles that are designed to give access to people, since it feels it is not its job to limit people. It will be guided by its constitution as it deals with requests for media requests.

## **POLICIES AND GUIDELINES FOR MEMBERSHIP IN THE B.C. LEGISLATURE PRESS GALLERY**

### **FULL MEMBERSHIP:**

A person shall be eligible to apply for full membership to the B.C. Legislature Press Gallery if he/she declares:

- My principal occupation is reporting, interpreting or editing legislature or B.C. government news.
- I require day-to-day use of gallery facilities/the legislative building to do my job.
- I am assigned to British Columbia on a continuing basis.
- I am not engaged in any activity that is incompatible with journalism, such as politics or lobbying.

There shall be excluded from membership: any person engaged in lobbying, public relations, candidacy for political office, or the prosecution of any claim or grievance pending before the B.C. government (excluding Freedom of Information challenges and libel/defamation action incurred during journalistic work).

Membership in the Gallery shall be open only to organizations or individuals consisting of journalists, photographers, camera persons, sound persons and others whose principal occupation is reporting, interpreting or editing legislature news on a continuing basis for one or more newspaper, radio or television broadcasting outlet or system, major recognized news service, magazine or internet news outlet which regularly publishes or broadcasts news of the legislature or government affairs and who require use of Gallery facilities to fulfill their functions.

For the purposes of this policy, the following words are defined:

- (a) “Newspaper” shall mean any newspaper which is published on a regular and continuing basis;
- (b) “radio or television broadcasting station or system” shall mean any radio or television stations or system making regular broadcast of news and comment inside or outside of Canada;
- (c) “major recognized news service” shall mean any organized journalistic service engaged primarily in the supply and transmission of news to the media organizations defined elsewhere in this policy;
- (d) “magazine” shall mean any general circulation journal which publishes not less than once a month and is available both by subscription and individual copy sale to the general public.
- (e) “internet news outlet” shall mean a non-partisan web-based news service, which primarily publishes news stories of government or provincial affairs.

### **OTHER REQUIREMENTS:**

- An applicant should provide a letter from a supervisor describing their publication/outlet and any additional reasons for membership.
- Freelance journalists should provide a letter from media outlets who may be broadcasting or publishing their copy that explains their working relationship.
- Self-employed journalists who own their own publication and/or internet news service should provide their own letter clearly describing their role and responsibilities.

### **PROCESS OF REVIEW:**

Once an application is received, the following process is used:

- The application is posted on the press gallery bulletin board for review by all members for a period of two weeks.
- Comments or questions may result in more information being required by the applicant before a decision is made.
- If no concerns are raised, the membership can be approved by the executive.
- If concerns are raised, the application may be put to a vote of full gallery members.

- Payment of dues are required at the time of acceptance, and may be pro-rated depending on the remaining term of the dues cycle.

#### TEMPORARY DAY PASSES:

Persons who do not require ongoing access to the legislature press gallery for the purpose of reporting on the B.C. government may apply for a temporary, daily, pass. There is no fee.

Day passes shall be open only to organizations or individuals consisting of journalists, photographers, camera persons, sound persons and others whose principal assignment for that day is reporting, interpreting or editing legislature news for one or more newspaper, radio or television broadcasting outlet or system, recognized news service, magazine or internet news outlet.

Day pass holders must proceed through security, and may be subject to additional assessment by both the Gallery executive and the legislative security branch.

Where possible, the preference is for day pass holders to contact the Gallery executive in advance to avoid delays in processing on the day of access.

Day pass holders are otherwise granted access to the same hallways, scrum zones and press theatre as full pass members. Working space at a press gallery desk is provided for daily pass holders if available.

#### SUSPENSION OF MEMBERSHIP:

The Gallery executive may at its discretion review memberships. If, in the opinion of the executive, any active member has ceased to possess the qualifications for membership, the membership shall be suspended.

#### HONORARY LIFE MEMBERSHIP:

Members who have held active membership for a period of not less than 10 years continuously, or other British Columbians whom the Gallery may wish to honour, may be granted honorary life membership by a two-thirds vote of active members present at a general meeting, with a maximum of five honorary memberships. Honorary members are not required to pay annual membership fees, and are not eligible to vote or stand for election to Gallery executive positions.

#### CONDUCT:

Notwithstanding any other provision, members shall each adhere to generally accepted journalistic principles and practices as are understood and determined by the Gallery from time to time.

Any member may be expelled from membership by a majority vote of the members present in person at any meeting of members, in the event that such member uses his membership or the facilities of the Gallery to obtain a benefit other than by journalism or engages in unethical conduct. The definition of unethical conduct shall include, but not be limited to, non-reporting activities such as lobbying or operating on behalf of a political party, governments, interest groups or clients.

The executive shall have the authority to set and vary from time to time a membership fee.

# Manitoba

The Manitoba Legislature Press Gallery has about six active members, but the official number is 30-35. That's a relatively large number these days and it's because one must be a member to get access by swipe card to the legislature building. Media outlets pay \$50 each, plus \$10 for each journalist (including camera people). Each organization is limited to a maximum of 10 employees who can obtain cards.

The Speaker has granted the press gallery authority to determine accreditation for both full-time membership and temporary passes. The Speaker will sometimes call the gallery to point out an issue - if someone has left their hat on inside the assembly, for instance, or if a male reporter is not wearing a tie. Anyone showing up asking for a temporary pass is referred to the press gallery.

Manitoba's press gallery has based the definition of an electronic journalist in its constitution (which follows) on the Parliamentary Press Gallery and the Ontario gallery's constitutions. It also allows for online web services, although they must be commercial and non-partisan and have paid employees. They must follow the Code of Ethics for the Radio Television Digital News Association or the Canadian Association of Journalists.

Freelancers are granted accreditation. People with YouTube channels or blogs are not.

If a representative of a new media organization were to apply for accreditation and if the rules in the constitution were not clear, the gallery might decide to give the person the benefit of the doubt and then expel them later if they didn't abide by the ethics and rules.

The government or any MLA wanting to host a news conference in the media room determines who gets to ask questions. There is no moderator, but with three-to-eight reporters at most given events, there have not been problems.

All meetings in the legislative chamber are livestreamed, but meetings in committee rooms are not (probably because of technical issues).

## Manitoba Legislature Press Gallery Association Constitution

1. The Manitoba Legislature Press Gallery Association (hereinafter called "the Gallery") exists to facilitate its member organizations in providing news coverage of the Manitoba legislature. The Gallery will undertake no measure which, within reason, in any way, would restrict any of its members from providing accurate, timely and full news coverage of the legislature and provincial government.
2. The word "press" in the title of the Gallery is used in its traditional form to represent all media and does not connote special recognition of one medium over another.
3. The gallery and its executive are authorized by the legislature to allocate seats in the press gallery within the legislature chamber, to allocate space in the gallery offices in the legislature building, and to perform other tasks given from time to time by the Speaker or government.
4. The Gallery is responsible for ensuring decorum from its members and for resolving disputes between the legislature and its member organizations.
5. Membership in the Gallery shall be limited to individuals or organizations making written or verbal application to the Gallery executive.
6. Membership in the Gallery shall be open only to organizations or individuals consisting of journalists, photographers, camerapersons, soundpersons and others whose principal occupation is reporting, interpreting or editing legislature news on a continuing basis for one or more newspaper, radio or television broadcasting outlet or system, major recognized news service, magazine or internet news outlet which regularly publishes or broadcasts news of the legislature or government affairs and who require use of Gallery facilities to fulfil their functions.



(page 2)

7. For the purposes of this constitution, the following words shall have the following meanings:

(a) "Newspaper" shall mean any newspaper which is published on a regular and continuing basis; (b) "radio or television broadcasting station or system" shall mean any radio or television stations or system making regular broadcast of news and comment inside or outside of Canada; (c) "major recognized news service" shall mean any organized journalistic service engaged primarily in the supply and transmission of news to the media organizations defined elsewhere in these By-laws; (d) "magazine" shall mean any general circulation journal which publishes not less than once a month and is available both by subscription and individual copy sale to the general public. (e) "internet news outlet" shall mean a non-partisan, commercial web-based news service with a paid staff that subscribes to the ethical standards of the Canadian Association of Journalists or the Radio and Television News Directors Association.

8. Notwithstanding any other provision, the media organizations defined in subparagraphs 7 (a) to (e) immediately above shall each adhere to generally accepted journalistic principles and practices as are understood and determined by the Gallery from time to time.

9. The executive shall have the power to set and vary from time to time a membership fee.

10. Any member may be expelled from membership by a majority vote of the members present in person at any general meeting of members, in the event that such member uses his membership or the facilities of the Gallery to obtain a benefit other than by journalism or engages in unethical conduct. The definition of unethical conduct shall include, but not be limited to, activities such as lobbying or operating on behalf of a political party, governments, interest groups or clients other than those defined in sections 6 and 7.

11. The property and affairs of the Gallery shall be managed by an executive consisting of three members in good standing: a president, vice-president and secretary-treasurer.

(page 3)

12. Executive members can be elected as frequently as once a year at a general meeting. Executives shall not receive any remuneration for their services, but may be reimbursed for out-of-pocket expenses incurred while carrying out Gallery duties. If an executive member resigns or is no longer a journalist at the legislature, he or she may appoint a replacement.

13. The executive members shall enforce the rules of the constitution. The executive may also organize social functions open to all gallery members.

14. A quorum of 20 per cent of Gallery members must be present to conduct business at a general meeting.

15. This constitution can only be amended by a 2/3rd majority of members present at a general meeting. Other matters shall require a simple majority.

## New Brunswick

There are 10 members who currently work on a daily basis out of the New Brunswick Legislative Press Gallery. There is also what Gallery President Adam Huras calls a fluctuating associate membership of cameramen, technicians or replacement reporters who are required to work in the gallery from time to time.

The Speaker grants authority to the gallery to decide on its membership. The government retains control over who can get into lockups.

The gallery's constitution, which follows, was updated in 2012. Huras says the gallery cast a wide net and looked to other galleries for guidance. He says the constitution contains clear definitions and no one has been denied membership during the five years he has been in the gallery. An active member is defined as someone who lists journalism as their principal occupation and who must be assigned by a media organization.

When applications are received, they are assessed on merit and members vote.

"The industry is evolving and every press gallery has to be cognizant of that and we have to be agile," says Huras.

# **Constitution of the New Brunswick Legislative Press Gallery as amended June 12, 2012**

## **Preamble**

The Press Gallery of the Legislative Assembly of New Brunswick is the official body representing journalists who are members of the Gallery according to this Constitution and who are assigned by their respective news organizations to cover events from the sessions, the committees of the Legislative Assembly and the government and/or the public administration.

The Legislative Assembly has recognized the Press Gallery since its foundation in 1961 and continues to do so by granting it and its members certain privileges and means by which the work of the journalists as defined by this Constitution is facilitated.

The Speaker of the Legislative Assembly further enhances the role of the Press Gallery by allowing it to have jurisdiction over the Gallery in the chambers and all other areas designated as part of the Press Gallery.

## **Article 1**

A. This Constitution is written in both official languages and the English and French versions are official.

B. This organization shall be known as the Press Gallery of the Legislative Assembly of New Brunswick, hereafter referred to as the "Gallery."

C. This Constitution takes effect on June 15, 2012, and supersedes all previous Constitutions dating back to March 31, 1962.

## **Article 2**

A. The Gallery shall have the authority to make rules, regulations and bylaws in respect to the conduct of its affairs.

B. The Gallery shall have jurisdiction over the seating arrangements of its members in the Legislative Chambers, over any other area of the Legislative Chambers which may be designated as an adjunct of the Gallery and over any news media facilities which may be put at the disposal of the Gallery members by the Legislative Assembly.

C. The Executive Committee of the Gallery shall try to ensure that all active and freelance members of the Gallery have seating on the floor of the Chamber of the Legislative Assembly, as well as desk space in the press gallery rooms, or any other facilities under the jurisdiction of the Gallery, according to need. The Executive Committee shall allocate the available space, giving preference to active members over freelance members, and among active members it shall take historical precedence into account.

## **Article 3**

A. For the purpose of this Constitution, "news media" shall mean:

A1. "Daily newspaper" : A newspaper generally published at least five days a week and having membership in good standing with the Canadian Daily Newspaper Association, or;

A2. "Recognized news service" : Any organization working as a service and engaged in supplying news to daily or weekly newspapers, radio, cable or television stations as its chief business, or;

A3. "Weekly newspaper" : Any newspaper published at weekly intervals and having membership in good standing in the Canadian Community Newspapers Association, or;

A4. "Periodical" : Any journal which publishes at least once a month and contains reports of news or comment on Legislative or government affairs, or;

A5. "Electronic Medium" : Any radio, cable or television broadcasting station, online news service or outlet, or system engaged in the dissemination of news.

B. "General Membership" shall mean active members, and "general meeting" shall mean a meeting of active members of the gallery.

C. Membership in the Gallery shall be divided into four categories as follows:

C1. "Active" members are persons whose principle occupation and primary source of livelihood is journalism and who are assigned by a news medium to report or interpret, with disinterested purpose, the activities of the Legislative Assembly, the government or the public administration of the province;

C2. "Associate" members are persons who work for news organizations with active members in the gallery, such as cameramen, technicians or replacement reporters, and who may be required to work in the gallery from time to time subject to the approval of the Executive Committee. News organizations shall not be limited in the number of associate members but shall pay fees for a maximum of five.

C3. "Freelance" members are journalists who present proof of being engaged on a fee basis by a medium to report or interpret the activities of the Legislative Assembly;

C4. "Honourary Life Members" are members or former members who have been designated by a two-thirds majority vote of members present at a general meeting. Honourary life members may attend general meetings, but are not entitled to space in the gallery, unless, upon payment of the usual membership fee and approval of the executive committee, they are accorded privileges of an active, freelance, or visiting member.

D. Applications for active membership in the Gallery shall follow this procedure:

D1. Application may be made in writing to the Secretary-Treasurer and shall be accompanied by satisfactory credentials supplied by the news medium assigning the applicant(s) to work in the Gallery.

D2. The news medium that pays dues for its active membership shall designate its active members.

D3. If an application is satisfactory to the Executive Committee, an applicant shall be admitted to active membership in the Gallery.

E. Any person applying for either visiting or freelance membership to the Gallery shall present such proof as deemed necessary to the Executive Committee to establish employment or working relationship to any news medium.

F. Membership in the Gallery shall run from the opening day of the session of the Legislative Assembly each calendar year to the opening day of the session in the

following calendar year. A member of the Gallery need not re-establish his eligibility for membership each session, provided he/she continues to represent that news medium through which he/she was accredited.

G. Nothing in this article shall be construed as automatically qualifying or disqualifying any applicant for membership. All applications for membership shall be decided upon by the Executive Committee as previously set forth, subject to approval by the majority present at a general meeting at which an application is discussed. In the event of a disagreement, the majority present at a general meeting shall prevail. If, in the opinion of the Executive Committee, any active member has ceased to be qualified under the provisions of this article, the membership shall be terminated upon notification.

#### **Article 4**

A. Only active members shall vote at general meetings of the gallery and only active members shall be eligible to serve on the Executive Committee.

B. Although one active member could be representing several news organizations, no active member shall hold more than one vote.

C. A quorum for a general meeting shall be a majority of the active and freelance members.

#### **Article 5**

A. The Gallery shall be governed by an Executive Committee consisting of five officers who shall be elected from the active membership. The officers shall be known as the President, Vice-President, the Director of Broadcast Media, the Director of Print Media, and the Secretary-Treasurer. The Past President shall be an ex officio member of the Committee.

B. The President shall be the presiding officer at all meetings of the Executive Committee and of the general membership. He/she shall conduct meetings in accordance with Roberts Rules of Parliamentary Procedure. He/she shall be the official spokesperson for the Gallery in all dealings with people and organizations.

C. The Vice-President shall assume the powers and authority on any occasion when the President is absent or unable to perform his/her duties or when asked by the President to do so.

D. The Director of Broadcast Media shall be responsible to the Executive Committee and the general membership as representing the interests of the electronic media and recognized broadcast news services. He/she must be a representative of an electronic medium or recognized broadcast news service.

E. The Director of Print Media shall be responsible to the Executive Committee and the general membership as representing the interests of the daily and weekly newspapers, periodicals and recognized print news services. He/she must be a representative of a daily, weekly, periodical or recognized print news service.

F. The Secretary-Treasurer shall keep a record of the proceedings of all meetings of the Gallery and shall prepare and preserve minutes of all such meetings. He/she shall conduct all Gallery correspondence at the discretion of the officers of the

Gallery at a general meeting. The Secretary-Treasurer shall collect all membership fees and other revenues accruing to the Gallery in an account in any recognized financial institution selected by the Executive Committee.

G. The Past-President is an ex-officio member of the Executive Committee.

H. The Executive Committee shall be the guardian of the rights of the Gallery and shall be responsible for all its actions to the general membership.

I. If the Executive Committee is unable to arrive at a decision on any matter, it shall submit such matter to a general meeting for resolution. Should an objection be taken in writing to any decision of the Executive Committee by not less than three members, the decision shall be submitted to a general meeting of the Gallery where the majority shall prevail.

## **Article 6**

The President and the Secretary-Treasurer shall be signing officers of the Gallery, but only one signer is required for cheques.

## **Article 7**

The annual fee for active, associate and freelance membership shall be set by resolution to be passed at the annual meetings of the Gallery. The fees must be paid before the applicant can make use of the Gallery facilities and acquire the rights and privileges of a member of the Gallery.

## **Article 8**

A. The officers of the Executive Committee shall be elected at the annual general meeting of the Gallery. Their terms shall run from one annual meeting until elections at the next annual meeting. Nominations shall be made from the floor at the annual meeting. Elections shall be by secret ballot where more than one candidate is nominated for any post.

B. Should any officer become unable to perform his/her duties, the office shall be declared vacant by the Executive Committee and a replacement elected at the earliest time that a general meeting can be convened.

C. All officers of the Executive Committee shall assume office immediately upon election.

## **Article 9**

A. The annual meeting should be held on the day after the opening day of the Session of the Legislative Assembly each calendar year. If it cannot be held on that day, it should be convened as soon as possible after that date.

B. Meetings of the Executive Committee shall be held from time to time to deal with business of the Gallery which may arise between actual meetings. Any Executive Committee meeting may be called by the President.

C. A quorum of an Executive Committee meeting shall be three members of the Committee including the President or acting President.

D. Only active members shall participate in the proceedings of general meetings, except that associate and freelance members may participate in deliberations directly affecting their status.

## **Article 10**

Notices of motion to amend the constitution, together with the proposed amendment, shall be given in writing to the Secretary-Treasurer, signed by at least two active members not less than one week before the general meeting at which the constitutional amendment(s) would be considered. Such notice at the proposed amendment(s) shall posted within 24 hours on the official bulletin board designated by the Executive Committee. For adoption, amendments require two-thirds majority vote of the membership at such a general meeting.



## Newfoundland and Labrador

The Press Gallery of Newfoundland and Labrador is small and, unlike in other legislature buildings, it shares space with the executive branch and government departments.

Non-members requesting access go to security, show their photo I.D., and identify themselves as media.

The gallery has no written constitution. It deals with accreditation requests on a case-by-case basis in consultation with the Speaker and the clerk. The gallery does not regulate access to news conferences. It deals only with the actual precincts of the legislature, which means sitting in the press gallery, working in its version of a media room and having access to the scrum area. News conferences are held outside the legislature and government security deals with them.

The president, David Cochrane, functions mostly as a liaison between the gallery and the Speaker and the parties, and they base their dealings mostly on convention. As Cochrane puts it, "We have a pretty clear way of operating that's been in place for ages now and we smooth things over when they pop up."

The issue of bloggers and new media hasn't really surfaced. Some online publications that are crowdfunded have been allowed access to budget lockups. An online-only newspaper called the Independent has been granted access to budget lockups by the government's Communications branch. The Independent has signed the same undertaking as press gallery members and has followed the same rules.

No blogger has applied for membership. Bloggers and others can get access to ministers through their Communications staff and would not necessarily be required to be at the legislature every day.

## Nova Scotia

The Nova Scotia Press Gallery has half a dozen reporters who cover provincial politics and the legislature on a full-time basis and its business is conducted informally.

The gallery does not have a constitution. Nor does it have any set rules, beyond abiding by the rules of the House.

Gallery President Jean LaRoche sees his role as a liaison between the Speaker or the sergeant-at-arms on any issues that might arise concerning access to Province House by reporters.

LaRoche says someone applying for membership in the gallery would need links to a news organization or “an entity with a news-gathering mission.” A web-based service, AllNS.com, is subscriber-based and is a member. Its website is considered legitimate and is open to the public. There are also full-time bloggers in Halifax who could gain membership if they wanted, LaRoche says.

The gallery declined membership to a union communications team that wanted the same access as reporters. It ruled that the group did not qualify as news media and should not be afforded the same privileges.

To LaRoche’s knowledge, no one has ever been denied access to Province House or to a government briefing or news conference.

The legislative assembly livestreams assembly proceedings and some committee meetings and also maintains an active Twitter account to keep journalists up to date with planned meetings, etc.

## Ontario

There are about 25 members in the Ontario Legislative Press Gallery. The gallery handles full-time accreditation and looks after day-to-day accreditation as well. A gallery co-ordinator defers to the gallery executive on questions of accreditation.

Accreditation is denied to lobbyists or to those who have a conflict of interest in reporting on the activities of the legislature. Journalists are required to adhere to generally accepted journalistic principles. Applications are considered on a case-by-case basis.

Asked about the argument that some people interviewed for this report have put forward that press galleries should no longer exist, gallery president Randy Rath said press galleries have been a historic part of the way the legislative process works. "We're seriously part of the process."

The gallery has faced challenges from news aggregators who take other people's content and republish it, although some members devote a small fraction of their time to aggregating and that has not caused problems.

Rath reports that the gallery has had no requests from bloggers. The bulk of requests, and they are declining in number, still come from "standard media organizations."

Individuals can show up at security and present their I.D. and a member of the gallery executive refers to the constitution to determine whether they should get access.

"We'll pretty much accredit anyone on a day-to-day basis," Rath said, although he adds some requests have been denied.

A copy of the Ontario Legislative Press Gallery constitution follows.

Ontario Legislative  
Press Gallery

Constitution  
And  
Bylaws  
2000

GENERAL

1. The Press Gallery of the Legislative Assembly of Ontario is a non-profit association of professional journalists who report on the Ontario Legislature and provincial government affairs at Queen's Park, Toronto.

MEMBERSHIP

2. All legitimate representatives of bona fide news organizations assigned to cover the Ontario Legislature shall be granted access on presentation of appropriate credentials to the Legislative Press Gallery of Ontario.
3. Anyone who wishes to apply for any form of membership must send written requests from themselves and their employer(s) to the attention of the Membership Committee of the Legislative Press Gallery of Ontario. The Membership Committee shall use due diligence to examine the request and credentials of applicants. The Committee shall forward its recommendations to a General meeting and the membership shall then approve them by a simple majority of members at the meeting.
4. For the purposes of membership, the following definitions shall apply;
  - a) "newspaper" shall mean any newspaper which is published on a regular and continuing basis;
  - b) "radio or television station or network" shall mean any radio or television station licenced by the Canadian Radio Television and Telecommunications Commission;
  - c) "news service" shall mean any journalistic organization engaged in the supply and transmission of news to the media defined elsewhere in this section;
  - d) "magazine" shall mean any periodical of general circulation which publishes not less than once a month and is available both by subscription and individual copy sale to the general public;
  - e) "internet media" shall mean any internet service or site that is available freely or by general subscription. This does not include services that simply re-broadcast events that occur at Queens Park or elsewhere.

- f) "accredited representative" shall mean any employee of a newspaper, broadcasting station, news service, magazine, or internet media assigned to the Legislature or any freelance journalist who supplies news from the Ontario Legislature on a regular basis to a newspaper, broadcasting station, news service, magazine or internet media.

5. There shall be four categories of members:
  - Active Members
  - Associate Members
  - Temporary Members
  - Honorary Lifetime Members
6. Active membership in the Legislative Press Gallery shall be open only to journalists, photographers, camera-persons and sound-persons and other journalistic professionals who are assigned to Queen's Park on a continuing basis by one or more newspapers, radio or television stations or networks, news services, magazines, or internet media which regularly publish or broadcast news of the Ontario Legislature and provincial government affairs and who require the use of gallery facilities to fulfill their functions.
7. Associate membership shall be granted to journalists, photographers, camera-persons and sound-persons and other journalistic professionals who are assigned to Queen's Park on a regular but not full-time basis.
8. Temporary membership shall be extended to journalists, photographers, camera-persons and sound-persons and other journalistic professionals who are assigned to Queen's Park on a one-day or short-term basis on behalf of a bona fide news organization as defined above.
9. Honorary Lifetime membership may be granted to anyone who the Press Gallery wishes to honour providing that two thirds of the membership vote in favour of the decision. Honorary Members shall be granted rights as determined by the Gallery Membership but shall not have the right to vote or attend any meetings of the Press Gallery.
10. The following professionals are ineligible for membership in the Press Gallery:

Persons who receive money for lobbying; Persons who receive money for providing communications advice to a third party; (i.e. flacks or consultants)
11. All members shall have access to the Cole Room in the Press Gallery and to the Press Gallery Lounge. All conversations in the Press Gallery Lounge are off-the-record. Active members may apply to the Executive for permanent office space, subject to availability. The space is to be used only for the coverage of events at Queens Park.
12. Any member may be reprimanded, disciplined or expelled from membership by a majority vote of the members present in person at any Special Meeting of the Gallery.
13. The grounds for reprimand, discipline or expulsion shall include, but not be limited to the following :  
A member may not use his or her membership or the facilities of the gallery to obtain a benefit other than by journalism; A member may not represent the interests of, or provide communications advice to political parties, governments, extra-legislative groups or clients other than those defined in the membership bylaws; A member must abide by the rules of the Press Gallery.

14. Any member facing discipline, reprimand or expulsion from the Gallery shall have the right to a hearing before the Executive of the Ontario Legislative Press Gallery. Afterwards, the Executive shall, based on evidence at the hearing make a recommendation regarding the outcome to the Special Membership at a meeting of the Gallery where it shall then be voted upon and decided by a majority vote.
15. In the event a media organization defined above ceases to exist or qualify for membership, the Gallery Executive shall notify any member who is affected that their membership is terminated
16. Membership may be terminated without notice by the Executive if fees are in arrears by more than 30 days.
17. Notwithstanding any other provisions of this document, the media organizations defined in the preceding paragraphs shall adhere to generally accepted journalistic principles and practices as are understood and determined by the Executive of the Ontario Legislative Press Gallery.
18. Notwithstanding Section 14, every person who is a member in good standing of the Press Gallery as of June 1, 1991, shall continue to be a member as long as he or she meets the conditions for membership set out in Sections 6, 7, 8 and 14.

#### FEES

19. Active and Associate Members are required to pay an annual membership fee as determined by the Press Gallery Executive.
20. Fees are payable on admission to membership or by April 15 of each year.

#### EXECUTIVE

21. The Press Gallery shall be governed by an Executive comprised of five officers: the President, Vice President-Electronic, Vice President-Print, Secretary and Treasurer.
22. The President shall preside at meetings of the Executive and of the Press Gallery. He or she shall chair all meetings of the Executive and the General Membership, enforce and interpret the rules of the constitution, ensure the decisions of the Executive are carried out, assume responsibility for general management of the organization and serve as official spokesperson for the Gallery in all dealings with external organizations.
23. The Vice President-Electronic and Vice President-Print shall carry out all duties assigned to them by the president and, in the absence of the President, assume the duties of the President.
24. The Secretary shall record the proceedings of Executive and General Membership meetings, and maintain the minutes, an updated list of all members
25. The Treasurer shall collect all membership fees and other revenues owed or generated by the Press Gallery, conduct all banking for the Press Gallery, maintain accurate records of all financial

transactions, be held accountable for all disbursements of Press Gallery Funds and provide an annual report to the General Membership.

26. All cheques issued on behalf of the Press Gallery shall bear the signature of the Treasurer and the President. All other members of the Executive shall also be designated as signing officers to act in the absence of the President or Treasurer.
27. All decisions of the Executive may be confirmed or rejected by a majority vote of the members at a general meeting of the Gallery.

#### ELECTIONS

28. All members of the Executive shall be elected on an annual basis by a vote of Active Members of the Gallery.
29. Elections shall be held no earlier than April 1st and no later than April 30th of each year. Under exceptional circumstances, such as an election campaign, the annual meeting may be postponed.
30. Candidates for Executive posts shall be nominated and seconded viva voce at the annual meeting.
31. Nominations may be declined.
32. Elections shall be held by secret ballot and shall be held separately in the following order: President; Vice President-Broadcast; Vice President-Print; Secretary; Treasurer.
33. Active and Associate Members have the right to vote.
34. The outgoing president shall preside over the nominations and elections and shall appoint two returning officers, neither of whom shall be a candidate, to collect and count ballots.
35. If, for whatever reason, a Press Gallery Executive position becomes vacant, a by-election shall be held no later than 30 days after official notice of the vacancy.

#### MEETINGS

36. A General Meeting of the Legislative Press Gallery can be called by the President with 48 hours notice.
37. A Special or Annual Meeting of the Legislative Press Gallery can be called by the President with 72 Hours notice.
38. The Annual meeting of the shall be held between April 15 and April 30 each year.
39. Meetings of the Executive shall be held at the call of the president.



40. Any three active or associate members may apply in writing to the Secretary or President for a general meeting to be called within 72 hours. Members asking for such a meeting may, with 72 hours written notice, place any item or items of business they wish on the agenda.

41. The quorum for an Executive meeting shall be 3.

42. The quorum for a General, Special, or Annual membership meeting shall be 10.

43. All decisions of the Legislative Press Gallery, except for amendments to the Constitution, shall be made by a majority decision of the members at a General, Annual or Special meeting

#### AMENDMENTS

44. Notice of motion to amend the constitution and the wording of the proposed amendment, signed by at least two active members, shall be give in writing to the Secretary and shall be posted within 24 hours of receipt on the Press Gallery notice board for a period of not less than one week in advance of the next General Meeting.

45. An amendment must be approved by a two-thirds vote of the members at a General meeting.

Passed Unanimously by  
The Ontario Legislative Press Gallery  
January 18th, 2001

Jamie Wallace, President

## Parliament Hill

The Canadian Parliamentary Press Gallery is celebrating its 150<sup>th</sup> anniversary (I refer you to its Facebook page).

The Gallery's constitution, a carefully crafted document that evolves as the world changes, follows.

As of Jan. 2 of this year, the gallery boasted 320 full-time members. Dues are \$100 a year, plus GST. Members must belong to a news organization or, if they are freelancers, must submit two or more letters to show they have clients for whom they work on a regular basis. The gallery executive has discretion.

The Speaker of the House of Commons has given the Canadian Parliamentary Press Gallery the right to accredit any members of the news media working on Parliament Hill. The gallery has no institutional link with the government, only with Parliament. The government generally refers to the gallery for accreditation for lock-ups. In fact, it simply recognizes the gallery accreditation. The government has no say on who gets accredited, although it can refuse access to someone - as long as it is not in any Parliamentary buildings. There, as Gallery President Manon Cornellier says, the separation between Parliament and government is respected. The gallery's autonomy has very rarely been tested.

Temporary - day-to-day - passes work in one of two ways. If an individual is employed by a recognized news media outlet - the CBC, for example - that organization can call the gallery to say it wishes to send a local camera person. If the person is not regularly on the Hill, the press gallery asks for a letter or email confirming the assignment. An individual cannot simply present oneself at the security desk and say they require a day pass.

New organizations cannot get full membership immediately. They can be accepted in stages over a six-month trial period. First they would have to ask for daily passes to establish that they truly require the services and access that membership affords and that they are regularly producing news content.

The Parliamentary gallery has granted membership to several online organizations, including The Tyee, The Huffington-Post, ipolitics, BuzzFeed, Vice and rabble.ca. They are required to produce a "regular journalistic product." Columnists have also been accredited, and the gallery has had

experience with bloggers. Many accreditation decisions are left up to the gallery executive's discretion.

Cornellier says a member's orientation of opinion has no bearing, but someone cannot be a front for a militant organization or a political party.

She does not foresee being inundated with applications from niche media because she says they don't need physical access to cover Parliament Hill. As well, members are required to cover politics as their main occupation.

The gallery is supported by a Secretariat, which is funded by the House of Commons. This arrangement has been in place for almost 150 years. The Secretariat handles day-to-day press passes but always refers to the gallery executive when a case is unclear.

Any accredited person has access to any press events going on within the Parliamentary precincts and in the press theatre. If access is limited and a pool is required, it is under the gallery's pool system.

If the government holds an event on Parliament Hill, it has no power to limit access. For events held outside the Parliamentary precincts, it is a long-established tradition for the Prime Minister's Office, departments and governmental organizations to rely on gallery accreditation. If access were to be denied, the gallery would fight the decision, except in the case of a breach of an embargo or of lock-up rules, where the gallery's power to intervene would be limited.

It is the well-established practice in Ottawa to refer to the gallery for everything concerning the press, and the gallery maintains a constant dialogue with many institutions to defend the interests of its members and the press in general. Cornellier points to the trial of Mike Duffy, which was held in a provincial court. The gallery offered its services because it knew it would be primarily its members covering the trial.

"We knew that the court was ill-equipped to deal with so many media with competing needs," says Cornellier. "We helped them organize an area for live coverage and managed the distribution of space in the courtroom and the overflow room."

Cornellier says the objective is always to ensure that press gallery members can do their job without useless obstacles. "If there are physical restrictions," she adds, "they are applied in a fair manner."

A colour photograph (passport size) of the applicant must be included with this form

**PHOTO**

Une photo en couleur (grandeur passeport) du demandeur doit accompagner le présent formulaire

**CANADIAN PARLIAMENTARY PRESS GALLERY  
TRIBUNES DE LA PRESSE PARLEMENTAIRE CANADIENNE**

**MEMBERSHIP APPLICATION AND AGREEMENT  
DEMANDE D'ADHÉSION ET ENTENTE**

**PERSONAL INFORMATION / RENSEIGNEMENTS PERSONNELS**

Surname / Nom de famille: \_\_\_\_\_

Given name / Prénom: \_\_\_\_\_

Address / Adresse: \_\_\_\_\_

Postal code / Code postal: \_\_\_\_\_ Telephone / Téléphone: \_\_\_\_\_

E-Mail address / Adresse électronique: \_\_\_\_\_

**PROFESSIONAL INFORMATION / RENSEIGNEMENTS PROFESSIONNELS**

Employer / Employeur: \_\_\_\_\_

Business address / Adresse du bureau: \_\_\_\_\_

Telephone / Téléphone: \_\_\_\_\_

Starting date / Date d'entrée en fonction: \_\_\_\_\_

**TYPE OF MEDIA / CATÉGORIE DE MÉDIA**

(Check the appropriate box / Cocher la case appropriée)

Daily / Quotidien \_\_\_\_\_ Weekly / Hebdo \_\_\_\_\_ Monthly / Mensuel \_\_\_\_\_ Agency / Agence \_\_\_\_\_

Radio \_\_\_\_\_ T.V. \_\_\_\_\_ Other (specify) / Autre (veuillez préciser): \_\_\_\_\_

**OCCUPATION / FONCTION**

(Check the appropriate box / Cocher la case appropriée)

Journalist / Journaliste \_\_\_\_\_ Freelance / Pigiste \_\_\_\_\_ Photographer / Photographe \_\_\_\_\_

Cameraperson / Opérateur de prise de vue \_\_\_\_\_ Soundperson / Preneur de son \_\_\_\_\_ Producer / Réalisateur \_\_\_\_\_

Other (specify) / Autre (veuillez préciser): \_\_\_\_\_

**ACCREDITATION REQUIRED / CATÉGORIE D'ACCREDITATION DEMANDÉE**

> see reverse for information / voir information au verso.

(Check the appropriate box / Cocher la case appropriée)

Permanent / Permanent \_\_\_\_\_ Temporary / Temporaire \_\_\_\_\_ Press Support / Personnel de soutien \_\_\_\_\_

New position / Nouveau poste \_\_\_\_\_

**Note: Please attach a letter of introduction from your employer.**

**A colour photograph (passport size) of the applicant must be included with this form.**

**Veuillez joindre à cette demande une lettre de présentation de votre employeur.**

**Une photo en couleur (grandeur passeport) du demandeur doit accompagner le présent formulaire.**

**DECLARATION / DÉCLARATION**

**YES / OUI**

**NO / NON**

My principal occupation is reporting, interpreting or editing Parliamentary or Federal Government news.  
Ma principale occupation est de couvrir, d'interpréter ou de produire les nouvelles du Parlement et du gouvernement fédéral.

\_\_\_\_\_

\_\_\_\_\_

I am assigned in Ottawa on a continuing basis.  
Je suis affecté à Ottawa en permanence.

\_\_\_\_\_

\_\_\_\_\_

I require day to day use of Gallery services to fulfil my functions.  
J'ai besoin d'avoir accès quotidiennement aux services de la Tribune pour accomplir mon travail.

\_\_\_\_\_

\_\_\_\_\_

I am replacing an active member / Je remplace un membre actif

\_\_\_\_\_

\_\_\_\_\_

If yes, which member ? / Si oui, lequel ? \_\_\_\_\_

**CANADIAN PARLIAMENTARY PRESS GALLERY  
CONSTITUTION**

**BY-LAWS NOS. 1 TO 50**

By-laws relating generally to the transaction of the business and affairs of the Canadian Parliamentary Press Gallery.

**BE IT ENACTED** as by-laws nos. 1 to 50 of Canadian Parliamentary Press Gallery (hereinafter called "the Corporation") as follows:

**CORPORATE SEAL**

1. The seal of the Corporation shall be in such form as shall be prescribed by the provisional directors of the Corporation and shall have the words **CANADIAN PARLIAMENTARY PRESS GALLERY - TRIBUNE DE LA PRESSE PARLEMENTAIRE CANADIENNE** endorsed thereon.

**CONDITIONS OF MEMBERSHIP**

2. There shall be four classes of membership in the Corporation as follows:

- (a) **active member;**
- (b) **temporary member;**
- (c) **life member; and**
- (d) **honorary member.**

3. Membership in the Corporation shall be established as follows:

- a) **Active membership** in the Corporation shall be limited to individuals whose written applications for active membership in the Corporation have been accepted by resolution of the Board of Directors of the Corporation;
- b) **Temporary membership** in the Corporation shall be limited to individuals whose written applications for temporary membership in the Corporation have been accepted by resolution of the Board of Directors of the Corporation or by the person or persons designated by the Board to consider such applications; and
- c) **Life and Honorary membership** in the Corporation shall be limited to individuals who have been elected to such membership in accordance with by-laws 6 and 7 respectively. There shall be a Life and Honorary Membership Selection Committee composed of no fewer than three and no more than five active members of the Corporation, including at least one member of the Board of Directors of the Corporation, elected annually by a vote of the majority of the members present at each annual general meeting of the Corporation, provided that if no member of the Board of Directors stands for election to the Life and Honorary Membership Selection Committee, the president shall be an ex-officio member of the said Committee.

4. **Active membership in the Corporation** shall be open only to journalists, photographers, camerapersons, soundpersons, and other professionals whose principal occupation is reporting, interpreting or editing parliamentary or federal government news, and who are assigned to Ottawa on a continuing basis by one or more newspapers, radio or television stations or systems, major recognized news services or magazines which regularly publish or broadcast news of Canadian Parliament and government affairs and who require the use of Gallery facilities to fulfil their functions.

For the purposes of this by-law, the following words shall have the following meanings:

- a) "newspaper" shall mean any newspaper which is published on a regular and continuing basis;
- b) "radio or television broadcasting station or system" shall mean any radio or television stations or system making regular broadcast of news and comment inside or outside of Canada;
- c) "major recognized news service" shall mean any organized journalistic service engaged primarily in the supply and transmission of news to the media organizations defined elsewhere in these by-laws;
- d) "magazine" shall mean any general circulation journal which publishes not less than once a month and is available both by subscription and individual copy sale to the general public.

Notwithstanding any other provision of this by-law no. 4, the media organizations defined in subparagraphs 4 (a) to (d) immediately above shall each adhere to generally accepted journalistic principles and practices as are understood and determined by the Corporation from time to time.

5. **Temporary membership** in the Corporation shall be open to bona fide journalists, photographers, camerapersons, soundpersons, and other professionals whose principal occupation is reporting, interpreting or editing parliamentary or federal government news and who are assigned to Ottawa on a continuing basis by one or more newspapers, radio or television broadcasting stations or systems, major recognized news service or magazines, as defined in by-law no. 4 who do not require day-to-day access to all Gallery facilities. Notwithstanding the above, temporary membership in the Corporation shall also be open to sponsored students enrolled in a full-time journalism program. Temporary members shall have such rights and obligations as determined by the Board of Directors, but shall not have the right to vote or the right to attend any meeting of the members of the Corporation.
6. **Life membership in the Corporation shall be limited to individuals who:**
  - a) are former members who have been active members of the Corporation for a period totalling 25 years;
  - b) have been recommended for election to Life membership by the Life and Honorary Membership Selection Committee acting on the written nominations of at least three active members, such nomination having been submitted to the said Committee no later than the first day of December in the year immediately preceding the annual

general meeting at which the membership shall vote on the recommendations of the Committee; and

- c) have been elected to Life membership at any annual general meeting of the Corporation by a vote of no fewer than two-thirds the members then present.

Life members shall have such rights and obligations as are determined by the Board of Directors but shall not have the right to vote at or attend any meetings of the members of the Corporation.

**7. Honorary membership in the Corporation shall be limited to individuals who:**

- a) are or have in the past been active members of the Corporation;
- b) have been recommended for election to honorary membership by the Life and Honorary Membership Selection Committee acting on the written nominations of at least three active members, such nominations having been submitted to the said Committee no later than the first day of December in the year immediately preceding the annual general meeting at which the membership shall vote on the recommendations of the Committee; and
- c) have been elected to honorary membership at any annual general meeting of the Corporation by a vote of no fewer than two-thirds of the members then present.

Honorary members shall have such rights and obligations as are determined by the Board of Directors but shall not have the right to vote at or attend any meetings of the members of the Corporation. Honorary members may apply for active or temporary membership and, where such applications are accepted in accordance with the requirements of these by-laws, those members shall have the rights and obligations of such active or temporary membership.

- 8. The Board of Directors of the Corporation shall have the power, subject to the approval of a meeting of the members of the Corporation, to set and vary from time to time a membership fee.
- 9. Any member may withdraw from the Corporation by delivering to the Corporation a written resignation and filing a copy of the same with the secretary of the Corporation. In the event a member fails to inform the Board of Directors of the termination of his or her relationship with the media organization under which the original accreditation was granted, the Board of Directors shall send written notice to the member and the subject media organization and the member shall be deemed to have withdrawn from the Corporation effective as of the date of such notice.

**10. Restriction or termination of membership for serious misconduct:**

(1) For the purposes of this by-law, "serious misconduct" is defined as:

- (a) The use of membership or the facilities of the Gallery to obtain a benefit other than by journalism, including activities such as the representation of interests of political parties, governments, extra parliamentary groups or clients other than those defined in by-law no. 4

(b) conduct other than journalistic practice that occurs on or in relation to facilities or activities administered by the Gallery that involves or threatens physical or psychological harm to a member of the Gallery or interferes materially with the ability of a member to perform work for which Gallery membership is required.

(2) If the Officers of the Corporation, after consideration of a complaint made by a member of the Gallery and considered by the Officers in accordance with the procedures adopted by the members of the Corporation for the purposes of this by-law, find that a member has engaged in serious misconduct, as defined in this by-law, the Officers may:

(a) restrict the privileges normally associated with the membership of the offending member in a manner that doesn't impede his or her ability to work for a period not greater than twelve months; or

(b) make a recommendation to the members of the Corporation that the membership of the offending member be suspended for a period not greater than twelve months or terminated with a prohibition on re-applying for membership for a specified period to be no greater than five years.

(3) 3. If the Officers of the Corporation make a recommendation to the members that the membership of a member be suspended or terminated pursuant to this by-law, the recommendation shall be considered by way of a motion at a general meeting of the members for which a quorum of 25 % will be required. The motion is to be decided by a majority of the members present at the meeting. The offending member and the Executive may be represented at the meeting by advocates.

11. The Board of Directors shall be empowered to extend the membership of any active member for a period not to exceed six (6) months upon written application of such member, in the event such member shall cease to have an active connection with an employer as set forth in by-law no. 4 hereof.

#### **HEAD OFFICE**

12. The head office of the Corporation shall be located at the City of Ottawa, in the Regional Municipality of Ottawa-Carleton and Province of Ontario, Canada, at the place therein prescribed by resolution of the Board of Directors of the Corporation from time to time.

13. The Corporation may establish such other offices and agencies elsewhere within Canada as the Board of Directors may deem expedient by resolution.

#### **BILINGUALISM**

14. The Corporation adheres to the principles of the Official Languages Policy and, as a consequence, commits itself to respect the policy of bilingualism in its dealings with its members.



## **DIRECTORS**

15. The property and affairs of the Corporation shall be managed by a Board of Directors composed of the ten (10) directors.
16. Directors shall be eligible for re-election at the annual meeting of members.
17. The qualification of a director shall be membership in the Corporation and being ordinarily resident in Canada.
18. The office of director shall be automatically vacated:
  - a) if a director shall resign his office by delivering a resignation to the secretary of the Corporation;
  - b) if he is found to be a lunatic or becomes of unsound mind;
  - c) if he becomes bankrupt or suspends payment or compounds with his creditors;
  - d) if at a special general meeting of members called for that purpose a resolution is passed by two-thirds of the members present at the meeting that he be removed from office;
  - e) on death;
  - f) if a director shall indicate in writing to the Board of Directors his intention to seek another position on the Board of Directors

Provided that if any vacancy shall occur for any reason in this paragraph contained, the Board of Directors may by resolution fill the vacancy with a qualified member until such time as the Board of Directors shall call a general meeting for the purpose of filling such vacancy, and the Board of Directors shall arrange for such general meeting as soon as is reasonably practical.

19. Directors, as such, shall not receive any remuneration for their services, but, by resolution of the Board, actual out-of-pocket expenses of a director incurred in carrying out his or her duties as a director may be approved for payment by the Corporation.
20. A retiring director shall remain in office until the dissolution or adjournment of the meeting at which his or her successor is elected. A director shall hold office until the next annual meeting of members following his or her election or appointment, provided that the members shall in each annual meeting following the first annual meeting of members elect nine (9) directors and the director elected as president shall hold office as a director for two years, the second year serving as a director by virtue of having been the president in the prior year, and shall be known as the "past-president". If a president is elected for more than one year, such that there is no president from the previous year to occupy the position of past-president, the members shall elect a tenth director in the place of the position that would otherwise have been occupied by the past-president, and in such a case the Board shall not have a position known as the past-president. A member who has been a past-president may be elected to this position as the tenth director.

21. The directors may exercise all such powers of the Corporation as are not by the Canada Corporation Act or by these by-laws required to be exercised by the members at general meetings.
22. Upon election at the first annual or general meeting of members, called for such purpose, the Board of Directors then elected shall replace the provisional directors named in the letters patent of the Corporation.

## **OFFICERS**

23. The officers of the Corporation shall be the president, vice-president, secretary and treasurer and such other officers as the Board of Directors may by by-law determine.
24. All officers of the Corporation must also be members of the Board of Directors. Subject to by-law no. 22, the officers shall be elected at the annual meeting of members by the membership. Election as an officer shall automatically constitute election as a director of the Corporation. Subsequent to the election of the required officers of the Corporation, the remaining directors shall be elected by the membership. Nominations for candidacy as an officer of the Corporation must be signed by five (5) active members and submitted to the Board of Directors at least five (5) days prior to the meeting at which such election is to take place. The Board shall post such nominations upon receipt thereof at the head office of the Corporation. Nominations for the remaining directors shall be made by any two (2) members of the Corporation from the floor of the said meeting at which such election is to take place.
25. The Board of Directors may appoint such agents and engage such employees, not being members of the Corporation, as it shall deem necessary from time to time and such persons shall have such authority and shall perform such duties as shall be prescribed by the Board of Directors at the time of such appointment.
26. Officers who are members of the Corporation shall not be entitled to any remuneration but shall be entitled to be reimbursed for actual out-of-pocket expenses incurred by them on behalf of the Corporation as may be approved by resolution of the Board of Directors. The remuneration of all other officers, agents and employees shall be fixed by the Board of Directors by resolution and such resolution shall have force and effect only until the next annual or special general meeting of members when it shall be confirmed by resolution of the members, and in the absence of such confirmation by the members, then the remuneration of all such officers, agents or employees shall cease to be payable from the date of such meeting of members.
27. The officers of the Corporation shall hold office for one year and until their successors are elected in their stead or until the next following annual meeting and may be removed by a majority vote of the active members present at a general meeting of the members called for such purpose in accordance with the terms of these by-laws.

## **DUTIES OF OFFICERS**

### **28. The President shall:**

- a) be the Chief Executive Officer of the Corporation;
- b) preside at all meetings of the Corporation and of the Board of Directors;

- c) enforce the rules of order at all time and have the power to interpret them;
- d) see that all orders and resolutions of the Board of Directors are carried into effect and the president or the vice-president with the secretary shall sign all by-laws of the Corporation;
- e) have the general management of the affairs of the Corporation;
- f) be the official spokesperson for the Corporation in the dealings with persons and organizations having business to transact with the Corporation.

**29. The Vice-President shall:**

- a) in the absence or disability of the president, perform the duties and exercise the power of president;
- b) have full authority over the permanent staff and installations in the Gallery;
- c) also perform such other duties as shall from time to time be prescribed by the Board of Directors.

**30. The Secretary shall:**

- a) attend all meetings of the Board of Directors and all meetings of the members and act as secretary thereof and record all votes and minutes of all proceedings in the books to be kept for that purpose;
- b) give or cause to be given notice of all meetings of the members and of the Board of Directors;
- c) be custodian of the seal of the Corporation, which the secretary shall deliver only when authorized by a resolution of the Board of Directors to do so and to such person or persons as may be named in the resolution;
- d) present to each meeting of the Board of Directors or the members as the case may be, the minutes of the previous meeting of such meeting, such approval being confirmed by the signature of the president on each such set of minutes;
- e) he shall conduct all official correspondence having to do with Gallery business, at the direction of the president, the vice-president, the Board of Directors or the Gallery in a general meeting of the Corporation and;
- f) perform such other duties as may be prescribed by the Board of Directors or president, under whose supervision the secretary shall be.

**31. The Treasurer shall:**

- a) collect all membership fees and other revenues accruing to the Corporation;
- b) have the custody of the Corporate funds and securities;
- c) keep full and accurate accounts of receipts and disbursements in books belonging to the Corporation;
- d) deposit all monies and other valuable effects in the name and to the credit of the Corporation in such depositories as may be designated by the Board of Directors from time to time;
- e) disburse the funds of the Corporation as may be ordered by the Board of Directors, taking proper vouchers for such disbursements, and shall render to the president and directors at the regular meeting of the Board of Directors, or whenever they may require it, an account of all such transactions carried out by the treasurer and of the financial position of the Corporation;
- f) perform such other duties as may from time to time be determined by the Board of Directors.

**BOARD OF DIRECTORS**

- 32. The property and affairs of the Corporation shall be managed by the Board of Directors composed of the president, vice-president, secretary, treasurer and immediate past-president and five (5) other directors of the Corporation, of whom five (5) shall constitute a quorum and in the case of an equality of votes, the president in addition to his original vote shall have a second or casting vote. The Board of Directors may on literature of the Corporation be designated as a Board of Governors.
- 33. The Board of Directors shall decide on all applications for membership in the Corporation. The Board of Directors shall grant active and temporary memberships upon being satisfied in its discretion, of the bona fides of the applicant in qualifying as either an active or temporary member. A majority of votes of the Board of Directors shall decide all matters properly put before it unless otherwise expressly provided for in these by-laws. Where the Board of Directors is unable to reach a majority decision on any matter put before it, the question shall be referred to a general meeting of the members of the Corporation.
- 34. The Board of Directors shall have the power to make disbursements from corporate funds and any such disbursement may be made by issuance of a cheque signed by the treasurer and one other officer.
- 35. The Board of Directors shall report all decisions made by it to the general membership of the Corporation at the first general meeting held following the making of such decisions at a meeting of the Board of Directors. It shall submit to a general meeting a budget of projected revenues and expenditures for the next twelve month period and shall make such

## MEETINGS

36. The annual general meeting of the members of the Corporation shall be held at the head office of the Corporation or elsewhere in Canada as the Board of Directors may designate, by the end of February of each year at such hour as the Board of Directors may direct. Written notice of such meeting shall be given to each member at least one (1) month in advance. At such meeting the members shall elect the officers and directors of the Corporation and receive a report of the Board of Directors.
37. The personal attendance by at least ten (10%) percent of the active members of the Corporation shall constitute a quorum for any general meeting. At all meetings of members of the Corporation every question shall be determined by a majority of votes unless otherwise specifically provided by the companies act or by these by-laws. Each member present at a meeting shall have the right to exercise one vote but in event of an equality of votes the president shall have a second vote or casting vote.
38. The president shall be entitled to call general meetings of the Corporation from time to time upon written notice of at least three (3) days. The president or the Board of Directors in calling a general meeting shall post the agenda on the notice board situated in the head office of the Corporation at least 48 hours prior to such meeting.
39. Any active members totalling ten (10%) percent of the active membership of the Corporation from time to time desiring that a general meeting be held may make application to the Board of Directors in writing for such meeting to be held and in such case such meeting shall be called on 48 hours notice within three (3) days after the application is made to the Board of Directors.
40. Meetings of the Board of Directors shall be held from time to time at the head office of the Corporation at such time as shall be determined by the president at the call of the president upon written or telephone notice of at least three (3) days, provided that the president may, in the event of an emergency, which determination shall be made by the president, reduce the notice period required hereunder.
41. Any active members totalling five (5%) percent of the active membership of the Corporation shall be entitled to call a meeting of the Board of Directors from time to time by making application in writing for a short meeting to be held and in such case a meeting of the Board of Directors shall be held within three (3) days after the application is made to the Board of Directors.
42. The recognized rules of parliamentary procedure shall govern at all general meetings and "*Robert's Rules of Order*" shall be the authority in any case where a question arises as to the proper rules of order or procedure.
43. Any active members totalling ten (10%) percent of the active membership of the Corporation may make, in writing, an appeal to the secretary against any decision or action of the Board of Directors and in cases of such appeal being made, the president shall within three (3) days of the filing of such appeal, call a general meeting for discussion of the matter in question, and the majority vote of such general meeting on such matter shall be binding on the Board of Directors. The Board of Directors may, if unable to arrive at a decision on any matter coming before it, submit such a matter to a general meeting of the Corporation and

shall, in such case be sound by a majority vote of the active members present at such general meeting.

#### **AMENDMENT OF BY-LAWS**

44. The by-laws for the Corporation may be repealed or amended by a by-law enacted by a majority of the Board of Directors at a meeting of the Board of Directors and sanctioned by an affirmative vote of the members at a general meeting duly called for the purpose of considering the said by-law, provided that the enactment, repeal or amendment of such by-law shall not be enforced or acted upon until the approval of the Minister of Consumer and Corporate affairs has been obtained.

#### **FISCAL YEAR**

45. The fiscal year of the Corporation shall terminate on the 31<sup>st</sup> day of December in each year.

#### **AUDITORS**

46. The members shall at each annual meeting appoint an auditor, not being a member of the Corporation, to audit the accounts of the Corporation and to hold office until the next annual meeting, provided that the Board of Directors may fill any casual vacancy in the office of auditor. The remuneration of the auditor shall be fixed by the Board of Directors.

#### **EXECUTION OF DOCUMENTS**

47. Contracts, documents or other instruments in writing requiring the signature of the Corporation may be signed by the president or the vice-president and the secretary, and all contracts, documents and instruments in writing so signed shall be binding upon the Corporation without any further authorization or formality. The Board of Directors shall have power from time to time by resolution to appoint any member of the Board of Directors on behalf of the Corporation either to sign contracts, documents and/or instruments in writing. The seal of the Corporation when required may be affixed to contracts, documents and instruments in writing signed as aforesaid or by any officer or officers appointed by resolution of the Board of Directors.

#### **RULES AND REGULATIONS**

48. The Board of Directors may prescribe such rules and regulations not inconsistent with these by-laws relating to the management and affairs of the Corporation as they deem expedient, provided that such rules and regulations shall have force and effect only until the next annual meeting of the members of the Corporation when they shall be confirmed, and in default of confirmation at such annual meeting of members shall at and from that time cease to have any force and effect.
49. In the case of a question concerning singular or plural, or masculine or feminine, these by-laws shall apply with all grammatical changes necessary.
50. For the purposes of the first general meeting of the members of the Corporation, the directors shall be authorized and directed to grant active membership in the Corporation to each and every active member of the unincorporated organization known as the Canadian Parliamentary Press Gallery as of the date of such general meeting and shall further be

authorized and directed to grant temporary membership to each and every temporary member of the unincorporated organization known as the Canadian Parliamentary Press Gallery as of the date of said general meeting, and no active or temporary member of the unincorporated organization known as the Canadian Parliamentary Press Gallery shall be required to submit a written application for membership in the Corporation as required by by-law no.2, provided by this by-law shall be of no force and effect after the said first general meeting of the members of the Corporation.

**ENACTED this 2<sup>nd</sup> day of June, 1987**

\_\_\_\_\_  
**PRESIDENT**

\_\_\_\_\_  
**SECRETARY**

The undersigned, being all the directors of the Corporation hereby sign the foregoing by-laws pursuant to the provisions of the Canada Corporation Act.

**DATED this \_\_\_\_\_ day of \_\_\_\_\_, 1987**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
**CERTIFIED** that the foregoing is a true and complete copy of by-laws nos. 1 to 50 of the Canadian Parliamentary Press Gallery as filed with and approved by the Department of the Minister of Consumer and Corporate Affairs which by-laws were fully enacted by the Board of Directors of the Corporation on the \_\_\_\_\_ day of \_\_\_\_\_, 1987, and were subsequently approved, ratified and confirmed by the unanimous vote of all the members on the \_\_\_\_\_ day \_\_\_\_\_, 1987, and the said by-laws are in full force and effect.

\_\_\_\_\_  
**SECRETARY**



**CANADIAN  
PARLIAMENTARY  
PRESS GALLERY**

**CONSTITUTION**

**"But words are things, and a small drop of ink, falling, like dew upon a thought, produces  
that which makes thousands, perhaps millions, think."**

**PARLIAMENT BUILDINGS**

**OTTAWA, CANADA**

**June 2015**

This membership application form for the Canadian Parliamentary Press Gallery does not apply for those who require a day pass only. A day pass can be obtained at the Gallery, Room 607, 150 Wellington Street.

Each membership application for a permanent member must be accompanied with a passport size photograph and a letter of introduction from your employer(s).

#### ACCREDITATION TYPES

**PERMANENT (OR ACTIVE):** Active membership in the Corporation shall be open only to journalists, photographers, camerapersons, soundpersons and other professionals whose principal occupation is reporting, interpreting or editing Parliamentary or Federal Government news, and who are assigned to Ottawa on a continuing basis by one or more newspapers, radio or television broadcasting stations or systems, major recognized news service or magazines which regularly publish or broadcast news of Canadian Parliament and Government affairs and who require the daily use of Gallery facilities to fulfill their functions.

**TEMPORARY:** Temporary membership in the Corporation shall be open to bona fide journalists, photographers, camerapersons, soundpersons and other professionals whose principal occupation is reporting, interpreting or editing Parliamentary or Federal Government news and who are assigned to Ottawa on a continuing basis by one or more newspapers, radio or television broadcasting stations or systems, major recognized news service or magazines, as defined in By-law No. 4 who do not require day-to-day access to all Gallery facilities. Temporary members shall have such rights and obligations as determined by the Board of Directors, but shall not have the right to vote or the right to attend any meetings of the members of the Corporation.

**PRESS SUPPORT:** Are considered to be part of this category; messengers, editing assistants, production assistants and other employees connected to information and who need regular access to the Parliament buildings to exercise their functions of support to the news production. By definition excluded from this category are: journalists, photographers, camerapersons, soundpersons, producers and all other professional whose principal occupation is reporting, interpreting or editing news from Parliament and from the Federal Government. The holder of the press support status is not a member of the Canadian Parliamentary Press Gallery.

I understand that as a Gallery member I can't represent interests of political parties, governments, non-parliamentary organizations or others than the news organizations I work for and I commit myself to follow the rules of the Gallery.

I understand and agree that I will be required to submit a new membership application if I change employer.

Ce formulaire de demande d'adhésion à la Tribune de la presse parlementaire ne s'adresse pas à ceux ou celles qui souhaitent obtenir une passe de jour. Dans ce cas, s'adresser au personnel de la Tribune, pièce 607, 150, rue Wellington.

Chaque demande d'adhésion pour un membre permanent doit être accompagnée d'une photographie récente de format passeport, d'une lettre de présentation de ou des employeurs.

#### CATÉGORIES D'ACCREDITATION

**PERMANENT (OU ACTIF) :** N'est accessible qu'aux journalistes, photographes, opérateurs de prise de vue, preneurs de son et autres professionnels dont la principale occupation est de couvrir, d'interpréter ou de produire les nouvelles du Parlement et du gouvernement fédéral, et qui sont affectés à Ottawa en permanence, par un ou plusieurs journaux, stations ou réseaux de radio ou de télévision, services reconnus de nouvelles ou périodiques, qui publient ou diffusent régulièrement des nouvelles du Parlement canadien et des affaires gouvernementales, et qui ont besoin d'utiliser quotidiennement les services de la Tribune pour accomplir leur travail.

**TEMPORAIRE :** Est accessible aux journalistes, photographes, opérateurs de prise de vue, preneurs de son et autres professionnels, tous de bonne foi, et dont la principale occupation est de couvrir, d'interpréter ou de produire des nouvelles du Parlement et du gouvernement fédéral, et qui sont affectés à Ottawa en permanence (ou pour une période limitée supérieure à un mois) par un ou plusieurs journaux, stations ou réseaux de radio, de télévision, services reconnus de nouvelles ou périodiques, tel que défini au règlement no. 4 de la Tribune, et qui n'ont pas besoin d'avoir accès au jour le jour aux services et installations de la Tribune. Les membres temporaires sont soumis aux droits et obligations de la Tribune mais n'ont ni le droit de voter, ni le droit d'assister à aucune assemblée des membres de la Corporation.

**PERSONNEL DE SOUTIEN :** Sont considérés comme faisant partie de cette catégorie; les messagers, assistants à la rédaction, assistants à la production et autres travailleurs connexes de l'information qui ont besoin d'un accès régulier aux édifices parlementaires pour exercer leurs activités de soutien de la production de nouvelles. Sont par définition, exclus de cette catégorie, les journalistes, photographes, opérateurs de prise de vue, techniciens, réalisateurs et tout professionnel dont la principale occupation est de couvrir, d'interpréter ou de produire les nouvelles du Parlement et du gouvernement fédéral. Les détenteurs du statut de personnel de soutien ne sont pas membres de la Tribune de la presse parlementaire.

Je comprends qu'en tant que membre de la Tribune, je ne peux m'adonner à des activités telles que la représentation d'intérêts au nom de partis politiques, gouvernements, groupes non-parlementaires ou clients autres que les organismes de presse qui m'emploient, et je m'engage à suivre les règles de la Tribune.

Je reconnais et conviens qu'advenant un changement d'employeur, je devrai présenter une nouvelle demande d'adhésion.

DATE: \_\_\_\_\_ SIGNATURE : \_\_\_\_\_

DO NOT WRITE IN THIS SPACE / NE PAS ÉCRIRE DANS CET ESPACE

Received on / Reçu le: \_\_\_\_\_

Heard on / Entendu le: \_\_\_\_\_

Decision / Décision: \_\_\_\_\_

Reason / Motif: \_\_\_\_\_

## Quebec (Tribune de la Presse)

The Press Gallery at Quebec's National Assembly was founded in 1871. Gallery President Caroline Plante stresses that it is based on a lot of tradition and on maintaining a climate of trust between the reporters who work in the assembly and the politicians they cover.

There are 59 members as of this writing (February 2016) and annual dues are approximately \$200. News outlets pay monthly rent over and above that.

Press gallery members sit down for breakfast once a year with the Speaker to review files. At the moment, for example, discussions are ongoing about whether civil servants might be allowed to occupy part of the media floor.

The Speaker generally allows the press gallery to decide membership issues. Permanent accreditation goes through the gallery board. Applicants must be from a recognized media organization. They must cover the National Assembly on a full-time basis. They must conduct research and produce original content.

The press gallery is supported by a group similar to those who work for the Secretariat in Ottawa. They are hired by the National Assembly to help with papers and documents, call press conferences on the loudspeaker, and assist with accreditation. Plante says the group is essential, since press gallery members are full-time reporters who "are super busy." She adds she does not believe the gallery executive could handle accreditation issues alone.

Plante points to an incident in May 2015 where an activist managed to get a temporary press pass under false pretenses. She made her way into a press conference and bared her breasts to protest a government bill. Plante says, "the Speaker did not appreciate that." In this case, the press gallery itself had not issued accreditation. The pass was issued by the service which supports the gallery. Plante explains that the gallery was under the impression that security was checking all accreditation, but that was not the case. "So we exposed a flaw in our accreditation procedure, which we've spent the past year, essentially, trying to solve."

Now there is an official process for temporary accreditation. It essentially breaks media into two categories. People who want to come for the day are either part of a media outlet that has an office at the press gallery or they are not. A reporter for La Presse, for example, who wants to go to the National Assembly for a day will go through his own office and be sponsored.

Everyone wanting temporary accreditation must provide a photo or have one taken and supply information such as date of birth, a description of their assignment, etc. They are then given access without having to go through a metal detector. The other category involves people who are not known to the gallery – an international reporter, as an example. They are required to provide information to the support staff ahead of time. Then a member of the gallery executive calls and makes the necessary checks. In both cases, once an applicant is in the system, they apply for another day pass and approval is generally granted. This system should avoid the sort of situation that involved the protester. A simple Google search would have shown her affiliation.

As far as new media go, the gallery got a request for full-time accreditation in 2014 from The Huffington Post. It was a first, since it was a web-based publication. The gallery sought assurances that the reporter would produce original content and otherwise comply with the gallery's constitution and there have been no problems. "It was judged that it was something new that we probably needed to start embracing," Plante says. "We were certain that that was just the beginning."

Quebec's National Assembly has a website where it can broadcast news conferences live. Any citizen can listen from anywhere. When a group that was deemed to be lobbyists asked for accreditation last fall, the gallery said no, but referred the group to the website.

Quebec's press gallery has so far had one request for access from a blogger. It used its discretionary powers to grant a day pass. Plante says this is just the beginning and the board will have to have a serious discussion about its policies. "Who are we to deny access to someone who says he's a journalist? We have to adapt and probably change our rules. But we're not exactly there yet. We're starting the discussion about bloggers."

There is another relatively new situation facing the gallery. The venerable newspaper La Press is now fully online. That has opened the door to other websites.

Plante says the gallery is aware of the possibility that there could be a rush of applicants. In reality, she says, "not many people flock to government bodies. "

**T R I B U N E**  
**D E L A**  
**P R E S S E**  
**D U P A R L E M E N T**  
**D E Q U É B E C**

**R È G L E M E N T**

Approuvé par l'Assemblée générale  
le 16 avril 2012

## **CHAPITRE 1 - DISPOSITIONS PRÉLIMINAIRES**

### **ARTICLE 1.1 - SIÈGE SOCIAL**

La Tribune de la presse du Parlement de Québec a son siège social dans l'un des immeubles de la colline parlementaire, à Québec.

### **ARTICLE 1.2 - DÉFINITIONS**

Aux fins du présent règlement :

- a) « Entreprise de presse » désigne toute entreprise publique, privée ou communautaire dont l'activité essentielle est la recherche, la production et la diffusion d'information pour le grand public en utilisant l'écrit, le son et/ou l'image.
  
- b) « La Tribune » désigne la Tribune de la presse du Parlement de Québec.
  
- c) « Le conseil » désigne le conseil d'administration de la Tribune de la presse du Parlement de Québec.
  
- d) L'utilisation du genre masculin doit être interprété comme s'appliquant aux hommes et aux femmes.

## **CHAPITRE 2 - FONCTIONS DE LA TRIBUNE**

### **ARTICLE 2.1 - FONCTIONS**

La Tribune de la presse du Parlement de Québec remplit les fonctions suivantes :

- a) Identifier ses membres et en recommander l'accréditation auprès du Président de l'Assemblée nationale du Québec.
  
- b) Défendre les droits et privilèges de ses membres.
  
- c) S'assurer que soit fourni à ses membres des services utiles à l'accomplissement de leur travail.
  
- d) Donner avis au Président de l'Assemblée nationale, à toute autre autorité, organisme ou personne, sur toute question relevant de sa compétence et relative à l'exercice du travail de ses membres.
  
- e) Organiser tout autre service ou activité jugé utile.

## **CHAPITRE 3 - LES MEMBRES**

### **ARTICLE 3.1 - CATÉGORIES**

La Tribune se compose de deux catégories de membres : les membres actifs et les membres honoraires.

### **ARTICLE 3.2 MEMBRE ACTIF**

Peut être membre actif tout employé permanent ou contractuel d'une entreprise de presse reconnue selon le présent règlement, qui est affecté à la Tribune de la presse du Parlement de Québec en permanence et dont l'occupation principale, régulière et continue est de participer à la recherche, la production ou la diffusion d'informations sur les activités de l'Assemblée nationale, du gouvernement et de ses organismes.

### **ARTICLE 3.3 - MEMBRE HONORAIRE**

Peut devenir membre honoraire toute personne qui répond à ces critères :

- elle a été membre actif de la Tribune pendant au moins huit ans;
- elle a quitté ses fonctions depuis au moins deux ans;
- elle n'exerce pas de fonctions incompatibles avec le métier de journaliste;
- elle est parrainée par un membre actif qui présente un texte d'appui à la candidature signé par 20 membres en règle.

Par la suite, lors d'une assemblée générale, sur proposition d'un membre actif, la candidature est approuvée par un vote favorable des deux tiers des membres actifs présents. Les membres honoraires conservent ce titre à vie et reçoivent un certificat l'attestant. Les membres honoraires sont soumis aux droits et obligations établis par le conseil d'administration mais n'ont le droit de vote à aucune assemblée officielle de la Tribune.



Le conseil d'administration se réserve le droit de retirer ou de suspendre les privilèges associés au statut de membre honoraire si un tel membre exerce des activités jugées incompatibles avec le statut de membre à vie.

#### **ARTICLE 3.4 - ADMISSION DES MEMBRES ACTIFS**

Une personne qui est à l'emploi d'une entreprise de presse et qui veut se faire admettre comme membre actif de la Tribune doit en faire la demande par écrit au secrétaire de la Tribune. Cette demande doit être accompagnée d'une lettre, signée par un représentant dûment habilité de l'entreprise de presse, attestant que la personne est affectée en permanence à la Tribune conformément à l'article 3.2 du règlement.

Le conseil accepte ou rejette les demandes d'admission.

Le conseil confère le titre de membre actif et recommande l'accréditation de celui-ci auprès du Président de l'Assemblée nationale.

Lorsqu'il apparaît évident qu'une grève ou lock-out est en préparation ou survient dans une entreprise de presse ou dans un conglomérat de presse, la Tribune reporte l'étude d'une nouvelle admission comme membre actif d'une personne employée par cette entreprise de presse ou par toute entreprise de presse faisant partie dudit conglomérat et touchée directement ou indirectement par le conflit, et ce, jusqu'à ce que le conflit prenne fin.

#### **ARTICLE 3.5 - REJET DES DEMANDES D'ADMISSION**

En cas de rejet de la demande d'admission, la décision du conseil peut être infirmée par une assemblée générale extraordinaire des membres actifs de la Tribune à la demande expresse et écrite de la personne visée dans un délai de 30 jours. L'assemblée générale doit alors être convoquée par le secrétaire de la Tribune dans les 15 jours suivant la réception de la demande de reconsidération formulée par la personne visée.

#### **ARTICLE 3.6 - DÉPART D'UN MEMBRE**

Tout membre actif qui quitte la Tribune de la presse doit aviser le conseil de la date de son départ. À la date de son départ, le démissionnaire perd son statut de membre actif et son accréditation. Un membre actif qui néglige d'aviser le conseil d'un changement d'affectation connu ou déclaré est réputé démissionnaire.

#### **ARTICLE 3.7 - DROITS ET PRIVILÈGES DES MEMBRES**

Tout membre actif de la Tribune fait partie de l'assemblée générale, y a droit de parole et de vote ainsi que le droit de se présenter à un poste électif.

Les membres actifs ont accès de droit à tous les documents, textes ou photos conservés par la Tribune ainsi qu'aux services offerts à/ou par la Tribune.

Les membres actifs reçoivent une carte de l'Assemblée nationale attestant leur accréditation.

## **ARTICLE 3.8 - LAISSEZ-PASSER TEMPORAIRE**

Un laissez-passer peut être accordée aux journalistes, photographes, caméramen, preneurs de son et autres professionnels de l'information, tous de bonne foi et à l'emploi d'une entreprise de presse, qui sont affectés à Québec temporairement pour couvrir, traiter ou produire des informations sur les activités de l'Assemblée nationale, du gouvernement et de ses organismes.

Une personne qui n'est pas à l'emploi permanent ou temporaire d'une entreprise de presse mais qui travaille à l'occasion comme pigiste ou contractuel et utilise en tout ou en partie des services de la Tribune doit faire la demande d'un laissez-passer temporaire au secrétaire de la Tribune, aux conditions fixées par le conseil.

Le détenteur d'un laissez-passer est soumis aux droits et obligations établis par le conseil, mais n'a ni le droit de voter, ni le droit d'assister à aucune assemblée officielle des membres de la Tribune.

Le conseil accepte ou rejette les demandes de laissez-passer.

**ARTICLE 3.9 (article incorporé à 3.3)**

## **CHAPITRE 4 - LA COTISATION**

#### **ARTICLE 4.1 - COTISATION ANNUELLE**

Une cotisation annuelle est exigée des membres actifs.

#### **ARTICLE 4.2 - FIXATION DE LA COTISATION**

L'assemblée générale fixe le taux et les modalités de la cotisation annuelle.

#### **ARTICLE 4.3 - DÉLAIS DE PAIEMENT DE LA COTISATION**

Cette cotisation est exigible dans les 30 jours de l'admission d'un nouveau membre actif. Elle l'est subséquemment dans les 30 jours suivant l'envoi par le trésorier de la Tribune des avis de cotisation aux entreprises de presse et aux pigistes à la suite de l'assemblée générale annuelle.

Aucune cotisation n'est exigée en cours d'année financière lors du remplacement d'un membre actif par une autre personne admise comme membre actif et issue de la même entreprise, selon les procédures du présent règlement.

### **CHAPITRE 5 - L'ASSEMBLÉE GÉNÉRALE**

#### **ARTICLE 5.1 - AUTORITÉ**

L'assemblée générale des membres actifs est l'autorité suprême de la Tribune. Elle peut être annuelle ou extraordinaire.

Une assemblée générale annuelle ou extraordinaire peut approuver, modifier ou rejeter des décisions déjà prises par le conseil d'administration, sauf dispositions contraires du présent règlement.

#### **ARTICLE 5.2 - QUORUM**

Le quorum d'une assemblée générale annuelle ou extraordinaire est fixé à quinze (15) membres actifs.

#### **ARTICLE 5.3 - CONVOCATION DE L'ASSEMBLÉE ANNUELLE**

L'assemblée générale annuelle se tient entre le premier janvier et le premier mai. Elle est convoquée par le secrétaire de la Tribune au moyen d'un avis écrit aux membres actifs au moins dix jours avant la date de sa tenue.

#### **ARTICLE 5.4 - FONCTIONS DE L'ASSEMBLÉE ANNUELLE**

L'assemblée générale annuelle adopte, modifie ou rejette les divers rapports du conseil d'administration sortant, élit les nouveaux membres du conseil pour un mandat d'un an et fixe le taux et les modalités de la cotisation annuelle. Elle peut être saisie de tout autre sujet par ses membres ou son conseil.

#### **ARTICLE 5.5 - ASSEMBLÉE EXTRAORDINAIRE**

Une assemblée générale extraordinaire peut être convoquée par le président de la Tribune ou par une requête écrite au secrétaire signée par au moins dix membres actifs.

Une assemblée générale extraordinaire est aussi convoquée lorsque les dispositions de l'article 3.5 s'appliquent.

#### **ARTICLE 5.6 - AVIS DE CONVOCATION**

Dans les cas prévus à l'article 5.5, le secrétaire transmet l'avis de convocation par écrit à tous les membres au moins deux jours ouvrables avant la date de l'assemblée.

L'avis de convocation à une assemblée générale extraordinaire doit en indiquer l'ordre du jour. Seuls les sujets inscrits à cet ordre du jour peuvent être discutés lors de cette assemblée.

#### **ARTICLE 5.7 - PROPOSITIONS**

Toute proposition à une assemblée générale doit être faite par un membre actif présent et appuyée par un autre membre actif présent.

#### **ARTICLE 5.8 - CODE DE PROCÉDURE**

Les réunions de l'assemblée générale et du conseil d'administration sont conduites suivant les règles de procédure établies dans le manuel de Victor Morin, à moins d'une décision contraire prise par les deux tiers des membres présents à ladite réunion.

## **CHAPITRE 6 - LE CONSEIL D'ADMINISTRATION**

### **ARTICLE 6.1 - COMPOSITION**

La Tribune est administrée par un conseil d'administration composé d'un président, de deux vice-présidents, d'un secrétaire, d'un trésorier, de trois conseillers et du président sortant.

### **ARTICLE 6.2 - FONCTIONS**

Le conseil est chargé de prendre toutes les décisions et mesures nécessaires au bon fonctionnement de la Tribune.

Il gère le budget et autorise les dépenses de fonds appartenant à la Tribune.

Le conseil peut constituer des comités spéciaux pour le conseiller ou l'aider dans l'exercice de ses fonctions et faire appel à tout organisme ou personne qu'il juge habilité à le faire.

Le conseil est l'interprète du présent règlement.

### **ARTICLE 6.3 - RÉUNIONS**

Le conseil doit tenir au moins quatre réunions ordinaires par année. Elles sont convoquées par le secrétaire à la demande du Président ou à la suite d'une requête écrite de quatre des membres du conseil.

### **ARTICLE 6.4 - QUORUM**

Le quorum aux réunions du conseil est de cinq membres.

### **ARTICLE 6.5 - VOTE**

Les décisions du conseil sont prises à la majorité des voix. Le président en exercice ne vote qu'en cas d'égalité des voix. Le président sortant n'a pas droit de vote.

### **ARTICLE 6.6 - PRÉSIDENT**

Le président de la Tribune préside les réunions du conseil ainsi que les assemblées générales.

Il contresigne les chèques tirés du compte bancaire de la Tribune.



Le président fait convoquer par le secrétaire les réunions du conseil et les assemblées générales, sauf dispositions contraires du présent règlement.

Le président est le porte-parole officiel et autorisé de la Tribune et de son conseil d'administration. Il lui revient, ou à une personne qu'il délègue, de représenter la Tribune dans toute fonction officielle.

Le président désigne tout autre membre du conseil d'administration pour exercer les fonctions de l'un de ses officiers lorsque ce dernier est absent ou incapable d'agir.

#### **ARTICLE 6.7 - VICE-PRÉSIDENTS**

Le premier vice-président ou, en son absence, le second vice-président, remplace le président lorsque celui-ci est absent. Il détient tous les droits et privilèges et exerce tous les pouvoirs du président pendant son absence. En cas de démission du président, le premier vice-président devient d'office président jusqu'à la tenue de l'assemblée générale qui choisit le nouveau président.

#### **ARTICLE 6.8 - SECRÉTAIRE**

Le secrétaire convoque les réunions du conseil et les assemblées générales. Il rédige les procès-verbaux et s'assure qu'ils soient communiqués à tous les membres actifs dans les dix jours suivants la tenue de ladite réunion. Il a la garde de tous les dossiers de la Tribune. Il assure l'accès de ces dossiers aux membres actifs qui lui en font la demande.

#### **ARTICLE 6.9 - TRÉSORIER**

Le trésorier a la garde des fonds de la Tribune. Il perçoit les cotisations et les dépose au nom de la Tribune dans une banque à charte ou un caisse populaire. Il signe les chèques avec le président ou, en l'absence de ce dernier, avec un troisième membre autorisé du conseil. Il présente à demande un rapport de la situation financière aux réunions du conseil et rédige le bilan financier qu'il présente à l'assemblée générale annuelle.

#### **ARTICLE 6.10 - CONSEILLERS**

Les conseillers peuvent être désignés par le président à remplir la fonction d'un autre officier du conseil si celui-ci est absent, incapable d'agir ou a démissionné.

#### **ARTICLE 6.11 - PRÉSIDENT SORTANT**

Le président sortant est le membre qui a occupé le dernier poste de président de la Tribune avant l'entrée en fonction du nouveau conseil. Il est convoqué à toutes les réunions du conseil, participe aux délibérations, mais n'a pas droit de vote.

#### **ARTICLE 6.12 - POSTE VACANT**

Tout poste vacant au conseil, autre que celui du président sortant, doit être comblé dans les meilleurs délais. Le conseil peut nommer un remplaçant parmi les membres actifs de la Tribune ou convoquer une assemblée générale aux fins d'élire ledit remplaçant.

En cas de démission ou d'incapacité d'agir du président en exercice ou du conseil d'administration, une assemblée générale extraordinaire est convoquée dans les deux jours ouvrables suivants par le secrétaire alors en fonction pour élire un nouveau président ou un nouveau conseil.

#### **ARTICLE 6.13 – PROTECTION CONTRE LES POURSUITES JUDICIAIRES**

La Tribune protège les membres de son conseil d'administration en cas de poursuites judiciaires liées à leur fonction.

### **CHAPITRE 7 - ÉLECTION DU CONSEIL D'ADMINISTRATION**

#### **ARTICLE 7.1 - PRÉSIDENT D'ÉLECTION ET ÉLECTION DE SCRUTATEURS**

Lorsque l'assemblée générale est appelée à élire un ou des membres du conseil d'administration, le président sortant joue le rôle de président d'élection. Deux scrutateurs sont élus à main levée parmi les membres présents ou, s'il y a unanimité, parmi d'autres personnes présentes à l'assemblée à l'invitation du conseil.

#### **ARTICLE 7.2 - ORDRE D'ÉLECTION DES MEMBRES DU CONSEIL**

L'élection des membres du conseil se fait distinctement et dans l'ordre suivant : le président, le premier vice-président, le second vice-président,

le secrétaire, le trésorier, le premier conseiller, le deuxième conseiller et le troisième conseiller.

L'élection se fait selon la procédure décrite aux articles 7.3, 7.4 et 7.5. Lorsqu'un poste est comblé, le président d'élection reprend la procédure ci-haut mentionnée jusqu'à ce que tous les postes soient comblés.

#### **ARTICLE 7.3 - PROPOSITION DE CANDIDATURE**

Tout membre actif peut être proposé par un autre membre actif comme candidat à un poste au conseil. Une proposition de candidature n'a pas besoin d'être appuyée.

Un membre actif peut accepter d'être proposé candidat par procuration écrite.

#### **ARTICLE 7.4 - PROCLAMATION DE LA LISTE DES CANDIDATS**

Le président d'élection reçoit les candidatures pour le premier poste à pourvoir. La réception des propositions terminée, il demande à chacun des candidats proposés, dans l'ordre inverse de la réception des propositions, s'il accepte d'être candidat. Le président d'élection proclame alors la liste des candidats pour le poste à pourvoir.

#### **ARTICLE 7.5 - SCRUTIN**

S'il y a plus d'un candidat pour le poste, un scrutin secret est tenu. Le président d'élection proclame élue la personne ayant recueilli le plus de

voix. En cas d'égalité des voix au premier tour, et s'il y a plus de deux candidats, seuls les premiers ex aequo demeurent en lice et le vote est repris. Si, au terme du second tour, l'égalité persiste, le président d'élection exerce un droit de vote.

S'il n'y a qu'un seul candidat, le président le proclame élu.

Si aucun des membres proposés n'accepte d'être candidat, le président d'élection recommence l'appel des propositions de candidature pour le poste à pourvoir jusqu'à ce qu'au moins un membre actif présent accepte.

## **CHAPITRE 8 - DISPOSITIONS DIVERSES**

### **ARTICLE 8.1 - OBLIGATIONS DES MEMBRES**

Tout membre de la Tribune doit se conformer au présent règlement sous peine de réprimande, de suspension ou de perte de son statut de membre actif par le conseil.

### **ARTICLE 8.2 - AFFILIATION**

La Tribune peut s'affilier à un organisme professionnel de journalistes québécois, canadien ou international, par décision de l'assemblée générale.

Son conseil peut décider de participer à des campagnes, réunions, colloques ou autres activités liés à la défense des droits de la presse.

### **ARTICLE 8.3 - MODIFICATION DU RÈGLEMENT**

Le présent règlement ne peut être modifié que par la décision prise aux deux-tiers des membres actifs présents à une assemblée générale annuelle ou extraordinaire. Une proposition d'amendement n'est recevable que si un avis de proposition d'amendement a été annexé à l'avis de convocation de l'assemblée générale ou communiqué par écrit au moins 48 heures avant ladite assemblée à tous les membres actifs par le ou les proposeurs.

### **ARTICLE 8.4 - DISSOLUTION**

La dissolution de la Tribune ne peut être décidée que par une majorité des deux-tiers des voix à une assemblée générale extraordinaire convoquée à cette fin et réunissant au moins les trois-quarts des membres actifs de la Tribune. En cas de dissolution, l'assemblée générale décide de la distribution à des organisations professionnelles ou charitables reconnues les biens et fonds restants après paiement des dettes.

## Prince Edward Island

The Prince Edward Island Legislative Press Gallery has roughly 50 accredited members, because outlets such as The Guardian and the CBC list almost everyone so they can cover for illness, vacations, etc. In reality, however, the gallery is small, with four main outlets, and many days there are only a couple of reporters at the legislature but members meet on a semi-regular basis. The gallery does not have a constitution.

The provincial legislative assembly passed a motion in 1976 that created the press gallery and set up its parameters. It is included below, as are provincial rules governing media accreditation. Press Gallery President Wayne Thibodeau says no one actually set up a press gallery until about 10 years ago.

The Speaker delegates power to the press gallery to regulate membership. The Speaker's office does the paperwork and sends it to the gallery for review. It then goes back to Speaker's office, which makes sure an applicant has the proper accreditation to get through security. If the Speaker were to disagree with a gallery decision, she would have the final say. Thibodeau says that has not happened.

Full gallery membership gives a journalist access to a desk, phone, etc.

As for newer media, Thibodeau says no one would be upset if someone from The Huffington-Post, for example, came to town for the day, but space is at such a premium in the small legislative building that newcomers have to sit in the public gallery.

The gallery had an issue years ago with a blogger who was deemed to be involved in a lobbyist group. The press gallery made the decision to deny that person accreditation and recently had its case upheld in the courts.

Thibodeau says the fear was that once bloggers came in, the gallery would get a flood of people declaring themselves journalists. "It didn't really happen," he said.

He points, however, to the case of a former CBC employee who is now blogging. "If he comes to us, he's a guy who had press credentials and is now an independent blogger. Will we say no to him now when he was in for 30 years before? It's getting complicated. We look forward to seeing what Alberta does."

1971

Media  
(press gallery)

Legislative Assembly,  
Tuesday, April 6, 1971,  
2:00 o'clock P.M.

PRAYERS:

The Journals of Friday, April 2, 1971, were adopted by the House.

Honourable A. B. Campbell moved, seconded by Honourable Mr. Bennett that Resolution Number 16, Re: Report on Maritime Union be considered by the House and that the Resolution be adopted as amended as follows:

WHEREAS the Report on Maritime Union was submitted to the Governments of the Provinces of Nova Scotia, New Brunswick and Prince Edward Island on November 27th, 1970:

AND WHEREAS the Premiers of the said Provinces at their meeting held in Halifax on January 26th, 1971, agreed that a Council of Maritime Premiers be established to promote and facilitate joint and integrated action by the said Provinces;

BE IT RESOLVED, as a further measure to promote joint and integrated action, that five members of this House be appointed to serve with five members to be appointed from each of the Legislatures of the Provinces of Nova Scotia and New Brunswick as a joint committee to consider and examine the recommendations contained in the Report on Maritime union concerning a joint meeting of the Legislatures of the three Provinces and to examine the feasibility of achieving uniform legislation for the three provinces in certain subject areas.

BE IT FURTHER RESOLVED THAT this joint committee report on its deliberations to this House.

BE IT FURTHER RESOLVED that the names of the Members to compose the above-mentioned Committee shall be: Mr. Bennett Campbell, Mrs. Jean Canfield, Mr. William Gallant, Mr. Leo Rossiter and Mr. Walter Dingwell.

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The Question on the Resolution as amended being put by Mr. Speaker it was carried unanimously and resolved accordingly.

The presence in the Gallery of Honourable A. W. Matheson was recognized by Honourable A. B. Campbell and Mr. Dewar.

Mr. Ings, as Chairman of the Select Standing Committee on Agriculture presented a verbal report of the said Committee and moved that the Committee be allowed to continue during the recess. This was agreed to by the House.

Mr. Bennett Campbell, for the Chairman of the Select Standing Committee on Legislative Library, Standing Rules, Orders and Privileges, presented a verbal report of the said Committee.

On Motion of Honourable A. B. Campbell, seconded by Honourable Mr. Bennett the House resolved itself into a Committee of the Whole House to consider Resolution No. 14. Mr. Cutcliffe took the Chair of the Committee and after some time Mr. Speaker resumed the Chair and the Chairman reported the Resolution agreed to as amended as follows:—

WHEREAS the business of the Legislative Assembly is in the vital public interest;

AND WHEREAS it is the function of the news media to report accurately to the public on that business;

AND WHEREAS this Assembly has not formally recognized and provided for the news media in its reporting of the business of this Assembly;

AND WHEREAS formal recognition of and provisions for the news media in this Assembly will assist the news media in pursuing the public interest;

BE IT RESOLVED that this Assembly recognize the Press Gallery of the Prince Edward Island Legislative Assembly (henceforth to be referred to as The Gallery) as an official body enjoying such privileges as the Speaker of this Assembly shall determine;

BE IT FURTHER RESOLVED that the members of the Gallery be assigned that space within the Assembly to the Speaker's right, behind the rail, and in addition, suitable accommodation and such facilities as this Assembly may provide to meet the requirements of the Gallery;

BE IT FURTHER RESOLVED that the Members of the Gallery shall be those accredited representatives of bona fide news reporting media who are designated by their employers and who apply for membership;

BE IT FURTHER RESOLVED that priority for membership in the Gallery shall be given to those reporters representing such media within the Province as may be determined from time to time by an Executive elected by the Gallery; that Rulings by the Gallery Executive shall be subject to appeal to the general membership that the priority for membership for Island media shall be given to those media that cover proceedings of the Legislative Assembly on a regular, day-to-day basis: that the priority shall be given to one representative of at least the following that are listed in no particular order of precedence:

- (a) The Guardian - Patriot, Charlottetown
- (b) The Journal-Pioneer, Summerside
- (c) C.F.C.Y. Radio, Charlottetown
- (d) C.B.C.T., Charlottetown

and that representatives of other media shall be accommodated in the Gallery according to the availability of space and by the decision of the Gallery Executive;

BE IT FURTHER RESOLVED that members of the Gallery shall conduct themselves according to the rules of this Legislative Assembly;

BE IT FURTHER RESOLVED that copies of documents circulated to Members of the Assembly shall be circulated to those members of the Gallery as are identified from time to time by the Gallery Executive in communication with the Speaker;

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BE IT FURTHER RESOLVED that all proceedings of this Assembly and its Committees shall be open to members of the Gallery, that the Gallery shall be given due notice of the schedule for sessions of the Legislative Assembly and its committees; and that any exception to this general statement on the right of attendance by members of the Gallery to sessions of the Legislative Assembly and its committees will be decided by majority vote of the members of the Assembly or of its Committees as the case may be.

ORDERED, That the Report of the Committee be adopted.

On Motion of Honourable Mr. Bennett, seconded by Honourable A. B. Campbell,

RESOLVED that Rule 64 (2) be suspended for this day to permit the reading of a Bill more than once in one day.

The following Bill was introduced and read a first time:

"AN ACT TO PROVIDE FOR THE PROHIBITION OF CERTAIN PUBLIC GATHERINGS"

—Honourable Gordon L. Bennett

By Leave of the House Honourable Mr. Bonnell presented to the House a report of the "West Prince County, Prince Edward Island Tourist and Recreation Plan".

ORDERED, That the Report do lie on the table.

(Tabled)

By Command, Honourable A. B. Campbell presented to the House the report of Prince Edward Island Development Plan Action.

ORDERED, That the Report do lie on the table.

(Tabled)

The following Bill was read a second time and referred to a Committee of the Whole House:

# Saskatchewan

The Saskatchewan Legislature Press gallery has 10 members and annual dues are \$100.

The Speaker has given the press gallery authority over accreditation and the gallery's constitution says the gallery executive may make the final decision on membership. Criteria for membership are set out in the gallery constitution, which follows. It was last amended in 2006 and does not address bloggers or social media in any way. The executive is considering changes but is wrestling with definitions.

The gallery offers membership to media outlets rather than to individuals. The rules were amended a few years ago, when media cuts meant members were dropping out and it became difficult to track who was coming and who was going. This way, an outlet such as CTV, for example, can send any individual it wishes to the legislature on any given day. The system has worked well, but might have to change again because of security concerns. It might become necessary to account for specific individuals in the building.

Sun Media was a member when it was in existence. It was viewed as legitimate. The Saskatchewan-based reporter who covered the legislature filed frequent reports and did lots of live hits.

Gallery president Karen Briere adds this:

"We do have columnists who are members by virtue of their media outlet's membership. It's very grey. Most legitimate news organizations have a Code of Ethics or guidelines that guide us toward being fair and impartial. I guess if an outlet had a statement or guiding principle – 'we will bring down the government' – that would be a flag. These are all questions that we need to discuss."

# THE SASKATCHEWAN LEGISLATURE PRESS GALLERY ASSOCIATION CONSTITUTION

ADOPTED APRIL 1990  
AMENDED MARCH 1991, MARCH 1992, APRIL 2006

## ARTICLE I — PREAMBLE

### SECTION 1 — NAME

This organization shall be known as the Saskatchewan Legislature Press Gallery Association.

### SECTION 2 — OBJECTIVES AND FUNCTIONS

A) It shall be the function of the Association to:

1) Promote the accurate and thorough coverage of events in the Saskatchewan Legislature as well as the actions and decisions of departments, boards and agencies of the government.

2) Help supervise embargoes imposed on material released by the Saskatchewan government.

3) Assign and control physical space in the Saskatchewan Legislature provided by the government for use by the media.

## ARTICLE II — MEMBERSHIP

### SECTION 1 — QUALIFICATIONS

A) Any person who works as a journalist full-time, part-time or on a freelance basis at the Saskatchewan legislature is entitled to be a member of the Association.

B) People directly employed by or working on a regular basis for a political party or a special interest group engaged in lobbying the government are not eligible for membership.

C) In the event of any question arising over a prospective member's eligibility, the Association's executive will make the final decision, in accordance with regulations adopted by the membership from time to time.

D) Membership must be approved by the Association's executive. In the event of a dispute over a membership decision of the executive, that decision of the executive may be appealed to a regular meeting of the Association to be held no later than thirty (30) days after the decision date. In the event of a vote to determine membership, the decision requires a majority of two-thirds.

E) If sufficient space is available, it will be assigned to new members by the Association's executive, with priority being given to full time members.

F) For the purposes of this constitution, all full time dues-paying members of the Association shall be considered members of the Association under the constitution.

## SECTION 2 — DUES

A) Members of the Association shall be required to pay an annual membership fee. The amount of that fee is to be set by the membership at the annual general meeting and is due no later than March 31, or see (B) below.

B) The membership fee must be paid prior to a member receiving provincial budget material.

C) Once paid, Association dues are not refundable.

## ARTICLE III — ELECTED OFFICERS

### SECTION 1 — TITLES OF ELECTED OFFICERS

A) At its annual general meeting the Association shall elect three (3) officers:  
1) The President  
2) The Vice-president  
3) The Secretary-treasurer

### SECTION 2 — SELECTION PROCEDURE

A) Each of these officers must be members of the Association.

B) Each officer must be elected by a simple majority of those in attendance at the Association's annual general meeting. The election is to be supervised by the immediate past president, or, in his/her absence, a member of the association appointed at the meeting. The supervisor of the election is not permitted to cast a vote unless his/her vote is required to break a tie.

C) Prospective candidates for the three (3) elected officers must be nominated by another member of the Association.

D) No individual may hold more than one of the three (3) elected positions.

### SECTION 3 — DUTIES AND TERMS OF OFFICE

#### A) The President

(i) It shall be the duty of the President of the Saskatchewan Legislature Press Gallery Association to:

- 1) Chair the Association's annual general meeting;
- 2) Set the dates for regular meetings of the Association;
- 3) Ensure regular meetings are advertised in accordance with the provisions of the constitution;
- 4) Chair regular meetings of the Association;
- 5) Implement policies of the Association that have been approved by the membership at a regular meeting or the annual general meeting;
- 6) Speak for the Association in negotiations or discussions with other bodies.

(ii) The President shall remain in office for the period between elections held at the annual general meeting of the Association.

#### B) Vice-president

(i) It is the duty of the Vice-president of the Saskatchewan legislature press gallery association to perform, on a temporary basis, those tasks assigned to the President when the President is not available.

(ii) It is the duty of the Vice-president to perform the functions on the president on a full time basis, until the next annual general meeting, if the President resigns from that office.

(iii) The Vice-president shall remain in office for the period between elections held at annual general meetings of the Association.

(iv) The Vice-president shall assume the duties of the Secretary-treasurer in the event that office becomes vacant.

#### C) Secretary-treasurer

(i) The Secretary-treasurer shall be responsible for the administration of the Association's financial affairs, including the collection of dues.

(ii) The Secretary-treasurer must provide a financial statement to the Association's members at the annual general meeting.

(iii) The Secretary-treasurer shall remain in office for the period between elections held at annual general meetings of the Association.

## ARTICLE IV — THE EXECUTIVE

### SECTION 1 — MEMBERSHIP

B) Advertising for annual general meetings must be prominently displayed in all gallery areas of the Saskatchewan legislature at least five (5) full working days prior to the meeting. Such advertising must include full texts of all proposed amendments to the constitution.

C) The purpose of the annual general meeting shall be to:

- 1) Elect Association officers;
- 2) Consider any matter which might normally be brought forward at a regular meeting of the Association;
- 3) Consider amendments to the Association's constitution.

D) Amendments to the constitution require the approval of a two-thirds majority of members attending the annual general meeting. The newly elected President shall have the authority to vote on constitutional amendment matters.

#### ARTICLE VI — SPECIAL COMMITTEES

A) The President has the authority to appoint, at his/her discretion, special committees to deal with matters before the Association. Special committees have no authority to change existing Association regulations or policies.

#### ARTICLE VII — QUORUMS

##### SECTION 1 — REGULAR MEETINGS

A) The quorum for a regular meeting shall consist of:

- 1) At least two (2) members of the executive;
- 2) At least three (3) non-executive members of the Association;
- 3) At least four (4) newsgathering organizations.

##### SECTION 2 — ANNUAL GENERAL MEETINGS

A) The quorum for an annual general meeting shall be the same as that for a regular meeting of the Association.

#### ARTICLE VIII — ORGANIZATIONAL DISCIPLINE

A) Members found in violation of an Association policy or regulation shall be subject to disciplinary measures, including loss of membership, as agreed to by a majority of members in attendance at a regular or annual general meeting.

B) Organizations and/or individuals failing to pay annual Association dues shall lose their membership in the Association, and all privileges pertaining thereto.

#### ARTICLE IX — SPECIAL PROVISIONS



A) The executive of the Association shall consist of its three (3) elected officers.

#### SECTION 2 — FUNCTION

A) The executive shall:

- 1) Approve or reject applications for membership;
- 2) Assign space to members;
- 3) Arbitrate disputes between members.

B) Meetings of the executive shall be at the discretion of the President.

C) The President shall be the presiding officer at all executive meetings.

#### SECTION 3 — LEADERSHIP REVIEW

A) In the event of demonstrated inability to carry out designated duties by a member or members of the executive, any seven (7) members of the Association may call a regular meeting to review the Association's leadership.

### ARTICLE V — MEETINGS

#### SECTION 1 — REGULAR MEETINGS

A) Regular meetings of the Association shall be held at the discretion of the President not less than two (2) times a year.

B) Advertising for all regular meetings must be prominently displayed in all gallery areas of the Legislature at least five (5) full working days prior to the meeting.

C) The function of a regular meeting shall be to:

- 1) Discuss any business brought forward by the membership;
- 2) Consider policies and/or regulations governing members of the Association;
- 3) Consider amendments to existing policies or regulations governing members of the Association;
- 4) Vote on proposed policies or regulations and amendments.

D) Policies and regulations of the Association shall come into effect if they receive approval from a simple majority of members in attendance at a regular meeting. Votes at a regular meeting shall consist of a show of hands, with the president casting the deciding vote in the event of a tie.

#### SECTION 2 — ANNUAL GENERAL MEETINGS

A) Annual general meetings of the Association shall be held once a year, sometime between the opening of the fall sitting and the end of December.

A) There shall be no special provisions made during any vote or election by the Association for proxy or absentee voting.

#### ARTICLE X — OPERATIONS

A) The Saskatchewan Legislature Press Gallery Association recognizes that its operations fall under the sole jurisdiction of the office of the Speaker of the Legislative Assembly of Saskatchewan.

## Media Guidelines for Legislative Building

### Preamble:

- The following points are presented as a guideline to determine routine procedures for the Press Gallery Association at the Legislative Assembly. Should special circumstances arise that are not covered by these guidelines, please contact the Office of the Speaker at 787-2282 or [speaker@legassembly.sk.ca](mailto:speaker@legassembly.sk.ca), to discuss possible options.
- The Press Gallery Association is responsible for determining its membership and associated privileges, which includes access to the press gallery and the coordination of office space within the area of the building assigned to the media.
- Media tenants have the same rights and responsibilities as all other tenants of the Legislative Building (ie wear identification, have building access as desired, and have keys/access cards to the building and office, as desired). Media tenants of the Legislative Building and members of the Press Gallery Association shall have access to the building through their access cards; visiting media must sign in at the front kiosk.

### Press Gallery

- Cell phones must be operated in a vibrate-only mode or be turned off while in the press gallery. All other electronic devices must also operate in silent mode.
- Laptops are permissible but must be operated in silent mode.
- Still photos with no flash are permitted from the Press Gallery of the person recognized by the Speaker. Prior approval for other still photos must be obtained from the Speaker's Office.
- Video footage may be taken on the floor of the Chamber only at special events, not regular sittings of the House (ie photos at Swearing in of a Lieutenant Governor, Opening Day of the Legislature). Permission from the Office of the Speaker is required. Video footage of regular House proceedings can be obtained through Broadcast Services.
- Permission must be obtained from the Office of the Speaker to take photos on the floor of the Chamber. (ie Budget Day).

- Forms are available from the Office of the Speaker to request permission for filming in the Chamber. Unique requests should be outlined in a letter to the Speaker. Those working with such special permission should retain a copy of the permission in case they are challenged by security.
- Interviews and/or live reports and/or media commentaries are generally not permissible in the Chamber. Permission for items such as historical documentaries must be obtained from the Office of the Speaker.
- Food is not allowed in the Chamber or any of the galleries. Members of the Press Gallery may have beverages in the Gallery, as allowed in the Chamber. Plain, non-advertisement type containers must be used.
- Press Gallery members in the gallery are requested to adhere to the same dress code as Members of the Legislative Assembly in the Chamber.

### Legislative Building

- Media is asked to respect that offices are not public space. Filming and interviews in offices is by permission of the tenants/office occupants only.
- Requests to set up equipment for interviews in the rotunda and hallways, other than regular scrums, should be directed to Government Services, who will advise security of any such use during hours in which the building is not normally open to the public, UNLESS the media person and the person being interviewed are building tenants. Concerns should be addressed to Steve Bata, Legislative Building Manager, or the Office of the Speaker.

  
 Speaker Dan D'Autremont

  
 Ms. Karen Briere  
 President, Press Gallery Assoc.

Revised January 13, 2012

# **SUGGESTION FOR PRESS GALLERIES**

Find a way to talk with each other and share best practices. At the moment, most press galleries operate in silos as they grapple with similar issues.

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# Appendix

## Letters exchanged between lawyer Fred Kozak and the Alberta Government



WRITER'S E-MAIL fkozak@rmrf.com  
YOUR FILE

WRITER'S DIRECT PHONE 780.497.3358  
OUR FILE 114261-001-FSK

February 8, 2016

Via Email: [cheryl.oates@gov.ab.ca](mailto:cheryl.oates@gov.ab.ca)

**Attention: Cheryl Oates**  
Director, Communications, Press Secretary  
Executive Branch  
202 Legislature Building  
10800 - 97 Avenue  
Edmonton, AB T5K 2B6

Dear Ms. Oates:

**RE: Rebel Media**

We are legal counsel to The Rebel News Network Ltd. ("The Rebel"), a national online news organization. The Rebel has informed us of a disconcerting series of recent events.

**First event - 29 January 2016 – Ejection from media lock-up**

Holly Nicholas attended the media lock-up for the royalty review announcement. She showed her ID and press badge, identified herself as a reporter for The Rebel, and was admitted to the lock-up. Over an hour later, a government staff member approached Ms. Nicholas and asked if she was with The Rebel. When Ms. Nicholas said "yes", he demanded that she leave, along with Sheila Reid, another reporter for the Rebel who had just arrived, stating that the event was for accredited media only and that The Rebel were not welcome at the media lock-up.

**Second event - 29 January 2016 – Removal from the Hyatt**

Later that day, Ms. Nicholas and Ms. Reid were in the common area with many other press members. Ms. Reid inquired about entering the stakeholders' room to interview industry stakeholders. A government staff member, who identified herself as Marcella Munro, informed Ms. Reid that not only would she not be allowed to interview stakeholders, but that she and Ms. Nicholas had to leave the common area.



The Rebel had arranged an interview with some industry stakeholders. Due to their removal from the floor, without explanation, the reporters for The Rebel were unable to conduct the interview.

Third event - 3 February 2016 – Refusal to allow access to the Legislature

In order to avoid a similar occurrence at the joint press conference with Premier Notley and Prime Minister Trudeau (the “Conference”), The Rebel asked Darcy Henton (Press Gallery President at the Alberta Legislature) what was required for The Rebel to work in the Legislature’s press gallery. Mr. Henton confirmed that no accreditation was necessary other than being working journalists. The long-standing and accepted practice is to allow any news organization to attend.

Ms. Reid attended the Legislature on 3 February 2016 for the Conference. She identified herself to the security check-in desk as a reporter for The Rebel, per Mr. Henton’s advice. She was informed that The Rebel was on a “no-go” list. When asked why, it was indicated that this order came from the Premier’s office. Ms. Reid requested an explanation. A government staff member came out and asked if she had accreditation. Ms. Reid attempted to describe what Mr. Henton had said, but without allowing her to finish, and without explanation, he instructed a sheriff to escort her off of the property and walked away.

Concerns

These events suggest a concerted effort to prevent The Rebel’s reporters from attending media events dealing with matters of public interest. A greater concern is that no explanation was given for their removal, despite requests from The Rebel’s reporters.

The law in Canada constitutionally guarantees a right to freedom of expression. There is no free speech without free access to information. Free access to information cannot occur when a government restricts who is allowed to receive the information.

The treatment of The Rebel, as described above, is not consistent with these constitutional values.

Our client is concerned that these decisions appear to be based on political considerations, which, naturally, is not a constitutionally viable basis upon which to ban or restrict the lawful activities of media organizations.

Request

Our client deeply values freedom of expression and is prepared to resort to the courts if necessary. However, our client’s primary goal is to ensure that such treatment will not re-

occur. Our client is willing to forego legal action if your office provides written confirmation that:

- a) The reporters for The Rebel should not have been excluded from these events, and
- b) The Government of Alberta will ensure that The Rebel will not be excluded from future media events.

Our client's hope is that the Government of Alberta will continue to not only espouse, but also practice openness and transparency, and show that it values free expression by allowing members of the media to attend important political events, regardless of who their employer is.

We request a reply by February 12, 2016. We look forward to your response.

Yours truly,

**REYNOLDS MIRTH RICHARDS & FARMER LLP**

PER:



FRED KOZAK, Q.C.  
FSK/njwt





Legal Services Division  
Civil Law Branch  
Alberta Justice and Attorney General  
2<sup>nd</sup> Floor, Peace Hills Trust Tower  
10011 – 109 Street  
Edmonton AB T5J 3S8  
Direct #: (780) 422-9107  
Fax: (780) 425-0310  
Email: [jason.fung@gov.ab.ca](mailto:jason.fung@gov.ab.ca)

File No. 16476

**Via Email: [fkozak@rmrf.com](mailto:fkozak@rmrf.com)**

February 12, 2016

Mr. Fred Kozak, Q.C.  
REYNOLDS MIRTH RICHARDS & FARMER LLP  
3200 Manulife Place, 10180 – 101 Street,  
Edmonton, AB T5J 3W8

Dear Mr. Kozak:

**Subject: Rebel Media**

Thank you for your letter of February 8th, 2016.

Our client's position remains that your client and those who identify as being connected to your client are not journalists and are not entitled to access media lock-ups or other such events.

Thank you for writing.

Yours truly,

A handwritten signature in blue ink, appearing to be "JF", written over a light blue horizontal line.

Jason Fung  
Barrister & Solicitor

# Radio Television Digital News Association Code of Ethics



## The Standard for Canadian Excellence in Electronic Journalism

Free speech and an informed public are vital to a democratic society. The members of RTDNA Canada recognize the responsibility of electronic journalists to promote and to protect the freedom to report independently about matters of public interest and to present a wide range of expressions, opinions and ideas.

### ARTICLE ONE (Accuracy)

Electronic journalists will inform the public in an accurate, comprehensive and fair manner about events and issues of importance.

### ARTICLE TWO (Equality)

Electronic journalists will report factors such as race, national or ethnic origin, colour, religion, sexual orientation, marital status or physical or mental disability only when they are relevant.

### ARTICLE THREE (Authenticity)

Electronic journalists will present news and information without distortion. Interviews may be edited provided that the meaning is not changed or misrepresented. Electronic journalists will not present news that is rehearsed or re-enacted without informing the audience. Newsrooms should take steps to ensure the authenticity of all video and audio, including news material acquired from the public, freelancers and other sources before disseminating/broadcasting it. Editorials and commentary will be identified as such.

### ARTICLE FOUR (Privacy)

Electronic journalists will respect the dignity, privacy and well being of everyone with whom they deal, and will make every effort to ensure that newsgathering and reporting does not unreasonably infringe privacy except when necessary in the public interest.

Clandestine newsgathering techniques should only be used when necessary to the credibility or accuracy of a story in the public interest.

#### ARTICLE FIVE (Independence)

Independence is a fundamental value and we will resist any attempts at censorship that would erode it. Electronic journalists will resist pressures to change or alter the news. Intrusion into content, real or apparent should be resisted.

#### ARTICLE Five A (Integrity)

Electronic journalists will not pay subjects or sources that have a vested interest in a story. Commentators or contracted experts are exempted. Electronic journalists will not accept financial compensation from those who seek to influence news coverage thereby compromising journalistic integrity and independence.

#### ARTICLE SIX (Conflict of Interest)

Electronic journalists will govern themselves on and off the job in such a way as to avoid conflict of interest, real or apparent.

#### ARTICLE SEVEN (Corrections)

Errors will be quickly acknowledged and publicly corrected on all platforms.

#### ARTICLE EIGHT (Decency and Conduct)

Electronic journalists will treat people who are subjects and sources with decency. They will use special sensitivity when dealing with children. They will strive to conduct themselves in a courteous and considerate manner, newsgathering as unobtrusively as possible. They will strive to prevent their presence from distorting the character or importance of events.

#### ARTICLE NINE (Fair Trial)

In reporting matters that are or may be before the courts, electronic journalists will ensure that their reporting does not interfere with the rights of an individual to a fair trial.

#### ARTICLE TEN (Covering Violent Situations)

Reporting on criminal activities such as hostage takings, prison uprisings or terrorist acts will be done in a fashion that does not knowingly endanger lives, offer comfort and support or provide vital information to the perpetrator(s). RTDNA members will contact neither victims nor perpetrators of a criminal activity during the course of the event for the purpose of conducting an interview that would interfere with a peaceful resolution.

#### ARTICLE ELEVEN (Intellectual Property)

Plagiarism is unacceptable. Electronic journalists will strive to honour the intellectual property of others, including video and audio materials.

**ARTICLE TWELVE (Impediments)**

Electronic journalists will seek to remove any impediments to or bans on the gathering or reporting of news in the public interest.

**ARTICLE THIRTEEN (Sources)**

Electronic journalists will make every effort to attribute news on the record. Confidential sources should be used only when it is clearly in the public interest to gather or convey important information or when a person providing information might be harmed.

**ARTICLE FOURTEEN (Respect and Enforcement)**

Members of the RTDNA will respect the provisions of this Code and the RTDNA itself will take all reasonable steps to encourage that all electronic journalists in Canada are aware of and observe the Code, even if they are not themselves members of the RTDNA.

# Canadian Association of Journalists Ethics Guideline



*Submitted by the CAJ Ethics Advisory Committee, June 2011*

## Preamble

*This document – along with the accompanying “Principles for Ethical Journalism” – is intended to help both seasoned professionals and new journalists to hold themselves accountable for professional work. While many specific questions are considered here, it is impossible to capture all potential scenarios in a document such as this. Instead, it seeks to provide examples of the application of our general ethical principles, and to help journalists apply those principles and their best judgment when faced with scenarios not covered here. Updates will be issued periodically as new issues come under consideration by the association’s Ethics Advisory Committee; suggestions for additions or amendments should be directed to the committee chair or the CAJ president.*

## Accuracy

We are disciplined in our efforts to verify all facts. Accuracy is the moral imperative of journalists and news organizations, and should not be compromised, even by pressing deadlines of the 24-hour news cycle.

We make every effort to verify the identities and backgrounds of our sources.

We seek documentation to support the reliability of those sources and their stories, and we are careful to distinguish between assertions and fact. The onus is on us to verify all information, even when it emerges on deadline.

We make sure to retain the original context of all quotations or clips, striving to convey the original tone. Our reporting and editing will not change the meaning of a statement or exclude important qualifiers.

There is no copyright on news or ideas once a story is in the public domain, but if we can’t match the story, we credit the originating source.

While news and ideas are there for the taking, the words used to convey them are not. If we borrow a story or even a paragraph from another source we either credit the source or rewrite it before publication or broadcast. Using another’s analysis or interpretation may constitute plagiarism, even if the words are rewritten, unless it is attributed.

When we make a mistake, whether in fact or in context, and regardless of the platform, we correct\* it promptly and in a transparent manner, acknowledging the nature of the error.

We publish or broadcast all corrections, clarifications or apologies in a consistent way.

We generally do not “unpublish” or remove digital content, despite public requests, or “source remove.” Rare exceptions generally involve matters of public safety, an egregious error or ethical violation, or legal restrictions\*\* such as publication bans.

## Fairness

We respect the rights of people involved in the news.

We give people, companies or organizations that are publicly accused or criticized opportunity to respond before we publish those criticisms or accusations. We make a genuine and reasonable effort to contact them, and if they decline to comment, we say so.

We do not refer to a person’s race, colour, religion, sexual orientation, gender self-identification or physical ability unless it is pertinent to the story.

We avoid stereotypes of race, gender, age, religion, ethnicity, geography, sexual orientation, disability, physical appearance or social status. And we take particular care in crime stories.

We take special care when reporting on children or those who are otherwise unable to give consent to be interviewed. While some minors, such as athletes, may be used to being interviewed, others might have little understanding of the implications of talking to the media. So when unsure, or when dealing with particularly sensitive subjects, we err on the side of seeking parental consent. Likewise, we take special care when using any material posted to social media by minors, as they may not understand the public nature of their postings.

We do not allow our own biases to impede fair and accurate reporting.

We respect each person’s right to a fair trial.

We do not pay for information, although we may compensate those who provide material such as photos or videos. We sometimes also employ experts to provide professional expertise, and pay for embedded activities. We are careful to note any such payments in our stories. (See TRANSPARENCY, below).

It is becoming common to be asked for payments in foreign countries, whether it’s for guides, to make connections, or to help a source travel to meet reporters. But it’s important to question the subject’s motives in such cases, and to be transparent in telling audiences what occurred (See TRANSPARENCY, below).

## *Right To Privacy*

The public has a right to know about its institutions and the people who are elected or hired to serve its interests. People also have a right to privacy, and those accused of crimes have a right to a fair trial.

However, there are inevitable conflicts between the right to privacy, and the rights of all citizens to be informed about matters of public interest. Each situation should be judged in light of common sense, humanity and relevance.

We do not manipulate people who are thrust into the spotlight because they are victims of crime or are associated with a tragedy. Nor do we do voyeuristic stories about them. When we contact them, we are sensitive to their situations, and report only information in which the public has a legitimate interest.

Journalists are increasingly using social networking sites to access information about people and organizations. When individuals post and publish information about themselves on these sites, this information generally becomes public, and can be used. However, journalists should not use subterfuge to gain access to information intended to be private. In addition, even when such information is public, we must rigorously apply ethical considerations including independent confirmation and transparency in identifying the source of information. (See DIGITAL MEDIA, below.)

## Independence

We serve democracy and the public interest by reporting the truth. This sometimes conflicts with various public and private interests, including those of sources, governments, advertisers and, on occasion, with our duty and obligation to an employer.

Defending the public's interest includes promoting the free flow of information, exposing crime or wrongdoing, protecting public health and safety, and preventing the public from being misled.

We do not give favoured treatment to advertisers and special interests. We resist their efforts to influence the news.

We pay our own way whenever possible. However, not all journalists or organizations have the means to do so. So if another organization pays our expenses to an event that we are writing about we say so, and this includes when covering industries such as travel, automotive, the military and foreign trade (See TRANSPARENCY, below). (There are some generally understood exceptions; for instance, it is common practice to accept reviewers' tickets for film previews, concerts, lectures and theatrical performances.)

We do not solicit gifts or favours for personal use, and should promptly return unsolicited gifts of more than nominal value. If it is impractical to return the gift, we will give it to an appropriate charity.

We do not accept the free or reduced-rate use of valuable goods or services offered because of our position. However, it may be appropriate to use a product for a short time to test or evaluate it. (A common exception is unsolicited books, music, food, or other new products sent for review.)

We generally do not accept payment for speaking to groups we report on or comment on.

We do not report about subjects in which we have financial or other interests, and we do not use our positions to obtain business or other advantages not available to the general public.

We do not show our completed reports to sources – especially official sources – before they are published or broadcast, unless the practice is intended to verify facts. Doing so might invite prior restraint and challenge our independence as reporters.

We gather information with the intent of producing stories and images for public consumption. We generally do not share unpublished information – such as notes and audio tapes of interviews, documents, emails, digital files, photos and video – with those outside of the media organizations for which we work. However, sometimes such sharing may be necessary to check facts, gain the confidence of sources or solicit more information.

Columnists and commentators should be free to express their views, even when those views conflict with those of their organizations, as long as the content meets generally accepted journalistic standards for fairness and accuracy.

### *Conflict of interest*

As fair and impartial observers, we must be free to comment on the activities of any publicly elected body or special interest group. But we cannot do this without an apparent conflict of interest if we are active members of an organization we are covering, and that includes membership through social media.

We lose our credibility as fair observers if we write opinion pieces about subjects we also cover as reporters.

Editorial boards and columnists or commentators endorse political candidates or political causes. Reporters do not.

We carefully consider our political activities and community involvements – including those online – and refrain from taking part in demonstrations, signing petitions, doing public relations work, fundraising or making financial contributions if there is a chance we will be covering the campaign, activity or group involved.

If a journalist does choose to engage in outside political activity or espouse a particular political viewpoint, this activity could create a public perception of bias, or favouritism that would reflect on the journalist's work. Any journalist who engages in such activities – including running for office – should publicly declare any real or potential conflicts.

Our private lives online present special challenges. For example, the only way to subscribe to some publications or social networking groups is to become a member. Having a non-journalist subscribe on your behalf would be one solution, as would be joining a wide variety of Facebook groups so you would not be seen as favouring one particular constituency. (See DIGITAL MEDIA, below.)

## Transparency

We generally declare ourselves as journalists and do not conceal our identities, including when seeking information through social media. However, journalists may go undercover when it is in the public interest and the information is not obtainable any other way; in such cases, we openly explain this deception to the audience.

We normally identify sources of information. But we may use unnamed sources when there is a clear and pressing reason to protect anonymity, the material gained from the confidential source is of strong



public interest, and there is no other reasonable way to obtain the information. When this happens, we explain the need for anonymity.

We avoid pseudonyms, but when their use is essential, and we meet the tests above, we tell our readers, listeners or viewers.

When we do use unnamed sources, we identify them as accurately as possible by affiliation or status. (For example, a “senior military source” must be both senior and in the military.) Any vested interest or potential bias on the part of a source must be revealed.

We independently corroborate facts if we get them from a source we do not name.

We do not allow anonymous sources to take cheap shots at individuals or organizations. (See FAIRNESS, above.)

∅ If we borrow material from another source we are careful to credit the original source. (See ACCURACY, above.)

We admit openly when we have made a mistake, and we make every effort to correct\* our errors immediately.

∅ We disclose to our audiences any biases that could be perceived to influence our reporting. (See CONFLICT OF INTEREST, above.)

∅ We openly tell our audiences when another organization pays our expenses, or conversely, when we have made payments for information.

## Promises to sources

We only promise anonymity when the material is of high public interest and it cannot be obtained any other way. (See TRANSPARENCY, above.) And when we make these promises to sources, we keep them.

Because we may be ordered by a court\*\* or judicial inquiry to divulge confidential sources upon threat of jail, we must understand what we are promising. These promises – and the lengths we’re willing to go to keep them – should be clearly spelled out as part of our promise. The following phrases, if properly explained, may be helpful:

**Not for attribution:** We may quote statements directly but the source may not be named, although a general description of his or her position may be given (“a government official,” or “a party insider”). In TV, video or radio, the identity may be shielded by changing the voice or appearance.

**On background:** We may use the essence of statements and generally describe the source, but we may not use direct quotes.

**Off the record:** We may not report the information, which can be used solely to help our own understanding or perspective. There is not much point in knowing something if it can’t be reported, so this undertaking should be used sparingly, if at all.

When we are not willing to go to jail to protect a source, we say so before making the promise. And we make it clear that the deal is off if the source lies or misleads us.

## Diversity

News organizations – including newspapers, websites, magazines, radio and television – provide forums for the free interchange of information and opinion. As such, we seek to include views from all segments of the population.

We also encourage our organizations to make room for the interests of all: minorities and majorities, those with power and those without it, holders of disparate and conflicting views.

We avoid stereotypes, and don't refer to a person's race, colour, religion, sexual orientation, gender self-identification or physical ability unless it is pertinent to the story. (See FAIRNESS, above.)

## Accountability

We are accountable to the public for the fairness and reliability of our reporting.

We serve the public interest, and put the needs of our audience – readers, listeners or viewers – at the forefront of our newsgathering decisions.

We clearly identify news and opinion so that the audience knows which is which.

We don't mislead the public by suggesting a reporter is some place that he or she isn't.

Photojournalists and videographers do not alter images or sound so that they mislead the public. When we do alter or stage images, we label them clearly (as a photo illustration or a staged video, for example).

We use care when reporting on medical studies, polls and surveys, and we are especially suspect of studies commissioned by those with a vested interest, such as drug companies, special interest groups or politically sponsored think tanks. We make sure we know the context of the results, such as sample size and population, questions asked, and study sponsors, and we include this information in our reports whenever possible.

When we make a mistake, we correct\* it promptly and transparently, acknowledging the nature of the error. (See ACCURACY, above.)

## Digital media: Special Issues

Ethical practice does not change with the medium. We are bound by the above principles no matter where our stories are published or broadcast.

We consider all online content carefully, including blogging, and content posted to social media. We do not re-post rumours. (See ACCURACY, above.)

The need for speed should never compromise accuracy, credibility or fairness. Online content should be reported and edited as carefully as print content, and when possible, subjected to full editing.

We clearly inform sources when stories about them will be published across various media, and we indicate the permanency of digital media.

When we publish outside links, we make an effort to ensure the sites are credible; in other words, we think before we link.

When we correct\* errors online, we indicate that the content has been altered or updated, and what the original error was. (See ACCURACY, above.)

So long as the content is accurate, we generally do not “unpublish” or remove digital content, despite public requests to do so, including cases of “source remorse.” Rare exceptions generally involve matters of public safety, an egregious error or ethical violation, or legal restrictions\*\* such as publication bans.

We try to obtain permission whenever possible to use online photos and videos, and we always credit the source of the material, by naming the author and where the photo or video was previously posted. We use these photos and videos for news and public interest purposes only, and not to serve voyeuristic interests.

We encourage the use of social networks as it is one way to make connections, which is part of our core work as journalists. However, we keep in mind that any information gathered through online means must be confirmed, verified and properly sourced.

Personal online activity, including emails and social networking, should generally be regarded as public and not private. Such activity can impact our professional credibility. As such, we think carefully before we post, and we take special caution in declaring our political leanings online. (See CONFLICT OF INTEREST, above.)

*\*Note: The CAJ ethics committee is currently at work on guidelines for online corrections.*

*\*\*Note: For more information on legal implications on journalism practice see the Canadian Journalism Project’s law page at J-Source.ca.*

# Canadian Freelance Union National Press Card



The CFU National Press Card and the IFJ International Press Card

The Canadian Freelance Union offers CFU members who work in public media as journalists, photographers, illustrators, writers and editors access to the International Federation of Journalists' Press Card and the CFU National Press Card.

## *Canadian Freelance Union National Press Card*

The CFU National Press Card identifies the holder as a professional Canadian freelancer working in public media. It is supported by the CFU for confirmation or accreditation purposes. There is no additional fee for this card.

## *IFJ International Press Card*

To qualify for the IFJ press card, you must be a Canadian Freelance Union member in good standing. The IFJ card has more international recognition and offers more protection, but it comes with more rigorous requirements and a charge. The card is available through CFU's connections with Unifor.

To request either (or both) cards, please send an email to our union office that includes:

1. confirmation that you are a Canadian citizen or permanent resident  
(a scan of your passport photo page)
2. your CFU membership number
3. the card(s) you want
4. what designation you want to appear on the card  
(example: journalist, reporter, photographer, videographer, etc.)
5. a minimum of 3 recent samples of your published or broadcast freelance work (links or pdfs). The items must have been distributed via a credible news source and they must be paid pieces.
6. a letter from your editor or your resumé

7. a high resolution electronic head-shot photo file (passport-style)
8. your mailing address

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# ABOUT THE AUTHOR

Heather Boyd has worked in the “news business” for almost 40 years. She has been a reporter, editor, trainer, mentor and media consultant. Among other things she has served as City Editor for the Edmonton Journal and as deputy Ottawa Bureau Chief and Western Canada Bureau Chief for The Canadian Press, Canada’s national news agency. She has spent time working in every legislature in the country except Iqaluit, since Nunavut was formed after she stopped active reporting. Full disclosure: She had a mug bestowed upon her by the Parliamentary Press Gallery in 1996. She holds an Honours BA in English & History from the University of Western Ontario and an Executive MBA from Queen’s University.