

# Accessibility Standards Advisory Board

## Terms of Reference

### Purpose

**Bill 38: An Act Respecting Accessibility in the Province (Accessibility Act)**, became law on December 3, 2021. This enabling legislation allows the Government of Newfoundland and Labrador to outline the principles and goals for an accessible province. The **Accessibility Act** will improve accessibility by identifying, preventing and removing barriers that prevent persons with disabilities from full participation in society.

### Mandate

The Accessibility Standards Advisory Board (Board) will advise and make recommendations to the Minister Responsible for the Status of Persons with Disabilities (Minister) on:

- a) priorities for the establishment of accessibility standards, the content of accessibility standards and the time periods for their implementation;
- b) measures, policies, practices and other requirements that may be implemented by the Government to improve accessibility;
- c) long-term accessibility objectives for furthering the purpose of the **Accessibility Act**; and
- d) any other matter relating to accessibility on which the Minister seeks the Board's advice.

### Structure

The Board will have 7-9 members who are appointed by the Lieutenant-Governor in Council on the recommendation of the Minister. Membership will have at least one-half of the members who are persons with disabilities or representatives from organizations of or for persons with disabilities and at least one member will be an Indigenous person.

At least 50% of the members appointed will be for a term of 2-year term and the remaining members appointed for 3-year terms. All subsequent appointments of members to the board shall be for a term of 3 years. Members are eligible to be reappointed but shall not serve for longer than 2 consecutive terms.

## Roles and Responsibilities

When making a recommendation to the Minister regarding a proposed accessibility standard, the Board considers:

- a) The accessibility objective for the activity or undertaking, the sector, the aspect of the built environment or the individuals, organizations or public bodies to which the standard relates;
- b) The measures, policies, practices or other requirements that the Board believes should be implemented, including
  - i. how and by whom the measures, policies, practices or other requirements should be implemented, and
  - ii. the time periods for implementing the measures, policies, practices or other requirements; and
- c) The United Nations Convention on the Rights of Persons with Disabilities.

In recommending the time-period for implementing an accessibility standard, the Board considers:

- a) The nature of the barriers that the measures, policies, practices or other requirements are intended to identify, prevent or remove;
- b) Any technical and economic considerations that may be associated with implementing the accessibility standard; and
- c) Any other matter requested by the Minister.

When the Minister determines that an accessibility standard will be developed, the Minister will direct the Board to establish a standard development committee of technical experts to assist the Board in making recommendations to the Minister regarding the content and implementation of the standard.

Sections 11 and 12 of the **Accessibility Act** details the requirements for the composition and terms of reference of standard development committees.

## Recommendations Preparation

In preparing its recommendation, the Board will consult with:

- a) Persons with disabilities;
- b) Representatives from organizations of and for persons with disabilities;
- c) Representatives of those engaged in the activity or undertaking, or the individuals, organizations or public bodies, or representatives of the class that may be affected by the proposed accessibility standard;

- d) Representatives of the public bodies that have responsibilities relating to the activity, undertaking or class that may be affected by the proposed accessibility standard;
- e) Representatives from Indigenous governments and organizations; and
- f) Other individuals, organizations or public bodies that the Minister considers advisable.

## Support

The Disability Policy Office (DPO) will provide secretariat support for the Board, including:

- a) Coordinate meetings, accommodations, and disability related supports to attend meetings,
- b) Prepare meeting agendas and materials and distribute to the Board members in advance of meetings,
- c) Attend meetings and take notes,
- d) Prepare meeting minutes and distribute to the Board members within two weeks following each meeting,
- e) Support members who request alternate formats, and
- f) Support the Board with resignation of members when relevant.

## Remuneration and Travel

Board members will receive remuneration and travel expenses covered within the budget of DPO a division of the Department of Children, Seniors and Social Development (CSSD). The Board is a Level II entity under the Independent Appointments Commission (<https://www.exec-abc.gov.nl.ca/public/agency/detail/?id=807&>).

Remuneration Level II	Chair	Vice Chair	Member
Full Day	\$335	\$285	\$240
Half Day	\$165	\$140	\$120

## Confidentiality

All members are required to keep their communication, advice and meetings confidential unless advised otherwise, to follow the **Access to Information and Protection of Privacy Act** (ATTIPA). Confidentiality agreements are required to be signed once appointed. Refer to <https://www.gov.nl.ca/atipp/>.

## Meetings

The Board shall hold at least 4 regular meetings each year, and meet with the Minister at least once a year. Meetings may be held in person at an accessible venue or virtually via Zoom.

All members are responsible to communicate their attendance or regrets for each meeting in a timely manner. This will ensure that accessibility supports can be arranged and confirmed before the meeting.

If a member has a personal emergency preventing attendance, please inform DPO as soon as possible.

**Note:** Each meeting **must** have a quorum in order to proceed— over half of the members must be in attendance. If any of the following occur, the meeting will be canceled and rescheduled as soon as possible when:

- 1) An upcoming meeting does not have the minimum of 5 members expected to attend;
- 2) The Chair and Vice Chair are unavailable;
- 3) Circumstances delay or impact the meeting (e.g. weather, emergency situations such as public health emergencies, natural disasters, etc.).

## Resignation

If a member is unable to continue their term for any reason (i.e. personal/family, health, moving to another province, etc.), they must contact DPO via email. This will help DPO support the member's transition. Please note that resigned member will be listed as active member until replaced or reappointed as per Section 9 (5) in the **Accessibility Act**.

## Reporting

The Board is category 3 under the **Transparency and Accountability Act**.

After each meeting, the Board will prepare a summary report and make it available to the public.

The Board will provide an Activity Plan every 3 years and prepare an Annual Report of its activities and operations during the preceding fiscal year and file it with the Minister. Activity Plans and Annual Reports are confidential during the drafting, review and approval process. They and will be made public when they are tabled in House of Assembly by the Minister.

**Officially adopted/updated on September 12, 2022.**