



NOVA SCOTIA

Justice
Office of the Minister

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JUN 14 2012

Teresa MacNeil
Chair of Electoral Boundaries Commission
7037 Mumford Road, Suite 6
Halifax, NS B3J 3C8

Dear Dr. MacNeil:

I am writing to acknowledge receipt of the Interim Report of the Electoral Boundaries Commission, dated May 31, 2012. I wish to thank the Commission for its work to date in preparing the interim report and for its consideration of the various issues and concerns expressed by Nova Scotians during the course of its public hearings.

It is clear that the Commission has given a great deal of thought as to whether the terms of reference in the final report of the Select Committee are a matter of guidance or are mandatory. As Attorney General, unfortunately, I am not able to accept the interim report as drafted, as it does not follow the requirements set out in the terms of reference in the final report of the Select Committee. I have been advised by the Chief Legislative Counsel of the House of Assembly that the terms of reference are legally binding upon the Commission, and that the interim report is therefore null and void. As such, I would request that the Commission prepare a revised interim report that complies with the terms of reference.

There is no authority in the terms of reference for constituencies that deviate by a variance of greater or less than 25 percent from the average number of electors per constituency. The government respects the independence of the Commission and does not wish to interfere in its work or recommendations. However, it is necessary that the Commission follow its legally binding terms of reference.

Given your public comments regarding the Commission's openness to hear the views of all Nova Scotians and the clarity provided by the Chief Legislative Counsel, I don't see a need for us to meet to discuss the interim report.

I look forward to receiving a revised interim report from the Commission as soon as reasonably possible, and the final report, which is due on or before August 31, 2012.

Yours very truly,

Ross Landry

C: Premier Darrell Dexter
Honourable Stephen McNeil, Leader, Liberal Party
Honourable Jamie Baillie, Leader, Progressive Conservative Party
Gordon Hebb, Chief Legislative Counsel
Neil Ferguson, Chief Clerk, House of Assembly