



House of Commons

Members Estimate Committee

**Consolidated list of
provisions of the
Resolutions of the
House relating to
expenditure charged to
the Estimate for House
of Commons: Members**

Second Report of Session 2008–09



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Report, together with formal minutes

*Ordered by the House of Commons
to be printed 1 April 2009*

HC 281
Published on 1 April 2009
by authority of the House of Commons
London: The Stationery Office Limited
£0.00

Members Estimate Committee

The Members Estimate Committee has the same Members as the House of Commons Commission:

Rt Hon Michael Martin MP, Speaker
Rt Hon Harriet Harman MP, Leader of the House
Alan Duncan MP, Shadow Leader of the House
Sir Stuart Bell MP
Nick Harvey MP
Rt Hon David Maclean MP

The Committee is appointed under Standing Order No 152D (*House of Commons Members Estimate Committee*):

152D.—(1) There shall be a committee of this House, called the House of Commons Members Estimate Committee.

(2) The members of the committee shall be those Members who are at any time members of the House of Commons Commission pursuant to section 1 of the House of Commons (Administration) Act 1978; the Speaker shall be chairman of committee; and three shall be the quorum of the committee.

(3) The functions of the committee shall be—

- (a) to codify and keep under review the provisions of the resolutions of this House relating to expenditure charged to the Estimate for House of Commons: Members;
- (b) to modify those provisions from time to time as the committee may think necessary or desirable in the interests of clarity, consistency, accountability and effective administration, and conformity with current circumstances;
- (c) to provide advice, when requested by the Speaker, on the application of those provisions in individual cases;
- (d) to carry out the responsibilities conferred on the Speaker by the resolution of the House of 5th July 2001 relating to Members' Allowances, Insurance, &c.;
- (e) to consider appeals against determinations made by the Committee on Members' Allowances under paragraph (1) (d) of Standing Order No 152G.

(4) Paragraph (3)(b) above does not empower the committee—

- (a) to create a new form of charge on the Estimate for House of Commons: Members; or
- (b) to increase any rate of charge or payment determined by resolution of this House.

(5) The committee shall report to the House from time to time, and in any case not less than once a year, the provisions of the resolutions of this House relating to expenditure charged to the Estimate for House of Commons: Members, as codified and modified pursuant to paragraph (3) of this order.

(6) The committee shall have power to sit notwithstanding any adjournment of the House.

Committee staff

The staff of the Committee are Dorian Gerhold, Jenny McCullough and Louise Sargent.

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Consolidated list of provisions of the Resolutions of the House relating to expenditure charged to the Estimate for House of Commons: Members

1. One of the functions of the Members Estimate Committee, as set out in Standing Order No 152D, is to “report to the House from time to time, and in any case not less than once a year, the provisions of the resolutions of this House relating to expenditure charged to the Estimate for House of Commons: Members”, as codified and modified by the Committee. The Standing Order empowers us to modify the provisions of the Resolutions as we consider “necessary or desirable in the interests of clarity, consistency, accountability and effective administration, and conformity with current circumstances”, but not to create a new form of charge on the Estimate or to increase any rate of charge or payment determined by Resolution of the House.
2. However, on 22 January 2009 the House resolved that the revised *Guide to Members’ Allowances* (the Green Book) should govern all expenditure on Members’ allowances for claims relating to expenditure on or after 1 April 2009. It instructed us to review the Resolutions of the House relating to Members’ allowances, to “make such modifications to them as are necessary to ensure that they are consistent with the provisions in the Green Book”, and to report to the House. This gave us a wider authority than that conferred by our Standing Order to modify the Resolutions, provided that any modifications were necessary to make the Resolutions consistent with the Green Book. Most of the modifications recorded below as having been made by the Committee on 2 March 2009 have been made with that authority.¹
3. The consolidated list of the provisions of the Resolutions is published as Annex 1 to this Report.
4. The consolidated list sets out the Resolutions which apply from 1 April 2009. For the convenience of Members, the figures given at paras 1.7, 1.12, 6.5, 8.3, 9.3, 9.9 and 9.10 are those applying from 1 April 2009.
5. The consolidated list indicates when each Resolution was agreed to by the House or each modification was made by the Committee. However, we have not recorded the dates of drafting changes made by us which do not change the substance of a provision. These include the new titles of the allowances, addition of references to ‘civil partners’ where only spouses were formerly referred to, the standardisation of references to “main home” (as opposed to “main residence” or “ordinary residence”) and the updating of the names of organisations (HM Revenue and Customs and Department of Resources).

¹ In our First Report of 2008–09, Revised Green Book and audit of Members’ allowances, HC 142, pages 35–6, we set out a list of amendments which would be required to the Resolutions if the revised Green Book were agreed to by the House. The Green Book is relevant to chapters 3 to 8 of Annex 1.

Annex 1

1 Members' salaries

General

1.1. Provision should be made for the payment of salaries to Members of the House. (29 May 1946)

1.2. The salary of a Member of this House should be increased from 1 April 2008, and from 1 April of each subsequent year, by an uprating formula which increases the salary by a percentage equal to the median of relevant increases for the following public sector groups:

senior military, holders of judicial office, very senior NHS managers, doctors and dentists, the Prison Service, NHS staff, school teachers, the Armed Forces, police officers, Local Government; non-Senior Civil Service staff in each of the Department for Work and Pensions, Her Majesty's Revenue and Customs, the Ministry of Defence and the Home Office; and the Senior Civil Service.

1.3. The SSRB should conduct a review of Members' salaries in the first year of each new Parliament unless such a review has taken place within the preceding two years; at such a review the SSRB should consider either or both of:

- a) an adjustment to the salary, consistent with public sector pay policy, to reflect an assessment of the appropriate salary at that time relative to jobs of similar weight elsewhere in the public sector;
- b) as regards the public sector groups listed in paragraph 1.2 above, such amendments to the list as appear to it to be necessary to reflect changes in the pay setting arrangements for those groups;

to take effect from 1 April following the first meeting of the new Parliament.

1.4. Each year the SSRB chair should notify the Speaker of the change in salary (expressed as a percentage) and, on such notification to the Speaker, that change shall have effect, subject to any further notification given following a review under paragraph 1.3 above.

1.5. The Speaker should lay before the House:

- a) any notification received from the SSRB chair under paragraph 1.4 above; and
- b) any report from the SSRB following a review under paragraph 1.3 above. (3 July 2008)

1.6. In appropriate cases and in accordance with the recommendations of the Committee on Standards and Privileges, the House may impose a penalty of withholding a Member's salary for a specified period without suspending the Member. (26 June 2003)

Chairmen of select committees

1.7. The salary of a Member should be £14,366 per annum higher than the figure determined in accordance with the provision set out at paragraph 1.2 above in respect of any period during which he is the Chairman² of a select committee appointed under Standing Order No 152 (Select committees related to government departments), the Environmental Audit Committee, the European Scrutiny Committee, the Committee of Public Accounts, the Select Committee on Public Administration, the Regulatory Reform Committee, the Joint Committee on Human Rights, the Joint Committee on Statutory Instruments, the Administration Committee, the Finance and Services Committee, the Liaison Committee, the Procedure Committee, the Committee of Selection, the Committee on Standards and Privileges, the Committee on Members' Allowances, or a Committee of another name which exercises the functions of any of the Committees referred to above. (30 October 2003; 13 July 2005; 18 May 2006; 3 March 2009)

1.8. An additional salary payable to a Member in respect of service as a chairman of select committees shall be changed by the same percentage and from the same time as the salary of a Member. (3 July 2008)

1.9. The Speaker shall have authority to interpret the provisions set out at paragraph 1.7 above and to determine rules for their implementation. (30 October 2003)

Chairmen of general committees

1.10. The salary of a Member should be higher by the amount specified in paragraph 1.12 below than the figure determined in accordance with the provision set out at paragraph 1.2 above in respect of any period³ during which the Member has been nominated by the Speaker to act as a temporary chairman of committees in accordance with the provisions of Standing Order No 4 (Chairmen's Panel),⁴ subject to paragraph 1.11 below.

1.11. There should be disregarded for the purpose of paragraph 1.10 above any period in respect of which the Member is receiving additional payment as Chairman of a select committee.

1.12. For a Member who has served on the Panel for less than one year, the additional amount should be £2,867; for a Member who has served on the Panel for at least one year but less than three years, the additional amount should be £8,045; for a Member who has served on the Panel for at least three years and less than five years, the

2 The period begins with the day on which a Member becomes Chairman or with the beginning of the next session of Parliament, in the case of a Member who became Chairman before that time, and ends on the day a Member ceases to be Chairman (or, if he is Chairman of more than one such Committee, he ceases to be Chairman of the last of those Committees). Any period of less than 24 hours, and any period in respect of which the Member is entitled to an additional salary by virtue of any provision of the Ministerial and Other Salaries Act 1975 are excluded from this provision.

3 A period begins on the day on which the Member is appointed to the Panel, or on 1 November 2005, whichever is later; and ends on the day in which the Member ceases to be a member of the Panel.

4 The Members nominated as temporary chairmen of committees, together with the Chairman of Ways and Means and the Deputy Chairman of Ways and Means, constitute the Chairmen's Panel (Standing Order No. 4).

additional amount should be £10,918; and for a Member who has served on the Panel for at least five years, the additional amount should be £14,366; and for the purposes of this paragraph length of service should include membership of the Panel before 1 November 2005 and should be calculated irrespective of breaks in service. (*13 July 2005*)

1.13. An additional salary payable to a Member in respect of service as a chairman of general committees shall be changed by the same percentage and from the same time as the salary of a Member. (*3 July 2008*)

1.14. The Speaker shall have authority to interpret these provisions. (*13 July 2005*)

2 Pensions

2.1. Regulations governing the Parliamentary Contributions Pension Fund should incorporate the recommendation in the Top Salary Review Body Report presented on 28 June 1991 that Member contributions should be six per cent. of salary.⁵ (*18 July 1991*)

2.2. The annual amount of the pension payable to a Member shall be a sum equal to the aggregate of the following amounts—

- a) An amount equal to one-fortieth of the relevant terminal salary multiplied by the number of complete years comprised in his aggregate period of reckonable service as a Member, and
- b) An amount bearing the same proportion as one-fortieth of the relevant terminal salary as the number of days comprised in that period after the end of the last complete year comprised in it bears to three hundred and sixty-five.⁶ (*21 July 1980; 5 July 2001*)

2.3. The Trustees of the Parliamentary Contributory Pension Fund have power to provide a scheme by which Members may enhance their pensions by making additional voluntary contributions, and to appoint a provider for the scheme. (*4 November 1993*)

2.4. The contribution rate to the parliamentary pension scheme for those scheme members who have opted for the 1/40th accrual rate should be 10 per cent with effect from 1 April 2004. (*3 November 2004*)

2.5. There should be a cost-neutral package of changes to the parliamentary pension scheme consisting of

- a) The introduction of a new option for members of the scheme to pay a member contribution rate of 5.5 per cent of salary for a pension building up at an accrual rate of

5 The Parliamentary Pensions (Amendment) Regulations 2002 (S.I., 2002, No. 1807) increased the contribution rate from 6 per cent to 9 per cent of salary. Members and office holders were given the option to continue to contribute at the rate of six per cent.

6 The Parliamentary Pensions (Amendment) Regulations 2002 (S.I., 2002, No. 1807) increased the accrual rate from fiftieths to fortieths. Members and office holders were given the option to continue to accrue their pension in fiftieths.

1/60th of final salary for each year of service, as an alternative to the existing accrual rate options; and

- b) Changes to the ill-health retirement provisions, as proposed by the Trustees, including two different levels of benefit depending on the degree of a scheme member's incapacity, and the periodic review of ill-health pensions. (*17 December 2008*)

2.6. Regulations governing the Parliamentary Contributory Pensions Fund shall incorporate the following recommendations of the Review Body on Senior Salaries Report laid before Parliament on 16 March 2001—

- a) That the lump sum death in service payment be four times annual basic salary;
- b) That service in the Scottish Parliament, National Assembly for Wales and the Northern Ireland Assembly, other than such service concurrent with service at Westminster, should count towards the qualifying period for an early retirement pension; and
- c) That the rules of the pension scheme should be revised in respect of benefits for children to ensure that all dependent children receive equality of treatment. (*5 July 2001*)

2.7. Arrangements for pension sharing on divorce or on dissolution of a civil partnership should be made pursuant to the Welfare Reform and Pensions Act 1999. (*5 July 2001*)

2.8. Regulations governing the Parliamentary Contributory Pensions Fund shall incorporate the following recommendations of the Review Body on Senior Salaries Report laid before Parliament on 21 October 2004—

- a) That pensions calculated on the same basis as pensions for widows and widowers should be introduced for surviving unmarried partners of members in service on or after 3 November 2004;
- b) That pensions for the widows, widowers and unmarried partners of members in service on or after 3 November 2004 should be payable for life;
- c) That the early retirement provisions which permit a member who has accrued at least 15 years service to retire before the age of 65 on favourable terms should be removed for those who become members of the scheme after 3 November 2004 and phased out for existing members from 1 April 2009, or the day after the General Election after next, whichever is the later. (*3 November 2004*)

3 Allowances

3.1. The rules set out in the Green Book shall govern all expenditure on Members' allowances. (*22 January 2009*)

3.2. The principles set out in this paragraph shall be the basis for all claims made by Members. When making claims against parliamentary allowances, Members must adhere to these principles:

- i. Claims should be above reproach and must reflect actual usage of the resources being claimed.
- ii. Claims must only be made for expenditure that it was necessary for a Member to incur to ensure that he or she could properly perform his or her parliamentary duties.
- iii. Allowances are reimbursed only for the purpose of a Member carrying out his or her parliamentary duties. Claims cannot relate to party political activity of any sort, nor must any claim provide a benefit to a party political organisation.
- iv. It is not permissible for a Member to claim under any parliamentary allowance for anything that the Member is claiming from any other source.
- v. Members must ensure that claims do not give rise to, or give the appearance of giving rise to, an improper personal financial benefit to themselves or anyone else.
- vi. Members are committed to openness about what expenditure has been incurred and for what purposes.
- vii. Individual Members take personal responsibility for all expenses incurred, for making claims and for keeping records, even if the administration of claims is delegated by them to others.
- viii. The requirement of ensuring value for money is central in claiming for accommodation, goods or services—Members should avoid purchases which could be seen as extravagant or luxurious.
- ix. Claims must be supported by documentary evidence, except where the House has agreed that such evidence is not necessary. (*22 January 2009; MEC, 2 March 2009*)

3.3. Expenditure for which reimbursement is claimed under the provisions of the Green Book should be wholly, exclusively and necessarily incurred for the performance of a Member's parliamentary duties, except in the case of Winding-up Expenditure on dissolution⁷ and Personal Additional Accommodation Expenditure;⁸ expenditure claimed under the latter must be necessarily incurred in staying overnight away from the Member's main home (see paragraph 4.1). (*MEC, 2 March 2009*)

4 Personal Additional Accommodation Expenditure (PAAE)

4.1. Provision should be made for Members who are Members for constituencies other than those in inner London to receive an allowance in respect of the additional expenses

7 To which section 291 of the Income Tax (Earnings and Pensions) Act 2003 applies.

8 To which section 292 of the Income Tax (Earnings and Pensions) Act 2003 applies.

necessarily incurred⁹ by any such Member in staying overnight away from his or her main home for the purpose of performing parliamentary duties, as follows:

- a) Where the main home is in London (that is, within 20 miles of the Palace of Westminster),¹⁰ for overnight stays in the constituency;
- b) Where the main home is in the constituency¹¹ either—
 - i. for overnight stays in London,¹² or
 - ii. when performing parliamentary duties in an area of the constituency where a stay overnight is reasonably necessary in view of its distance from the main home;
- c) Where the main home is neither in London nor in the constituency (at the option of the Member, to be exercised in notice by writing to the Department of Resources) either—
 - i. for overnight stays in London, or
 - ii. for overnight stays in the constituency. (*20 December 1971; MEC, 9 February 2004, 2 March 2009*)

4.2. The annual limit on Personal Additional Accommodation Expenditure should be the amount obtained by increasing the limit for the immediately preceding year¹³ by the percentage by which the Retail Prices Index¹⁴ for December in that immediately preceding year has increased compared with the Retail Prices Index for the previous December. (*13 July 1994; MEC, 15 March 2004*)

4.3. A flat-rate sum of £25 may be claimed for any night which a Member spends away from his or her main home on parliamentary business. No other payment in respect of subsistence may be claimed. (*MEC, 2 March 2009*)

4.4. The total costs claimed in respect of furnishings in any allowance year (except the first year after a Member is newly elected) are limited to 10% of the Personal Additional Accommodation Expenditure for that year. (*MEC, 2 March 2009*)

9 Members may claim for overnight stays on journeys to and from the constituency when it is not practicable to complete the journey in one day, so long as any such arrangements are cleared in advance with the Department of Resources. (*MEC, 19 June 2006*).

10 The Green Book defines London as any place within 20 miles of the Palace of Westminster.

11 Members who claim PAAE in respect of constituency homes may claim only for constituency homes within a twenty mile radius of the constituency boundary. (*MEC, 14 June 2004*).

12 Members who claim PAAE in respect of overnight stays in London should stay within 20 miles of Westminster. (*MEC, 14 June 2004*).

13 A year is taken to be a period of 12 months beginning with 1 April.

14 The general index of retail prices (for all items) published by the Office for National Statistics. If that index is not published for a month which is relevant for the purposes of paragraph 3.3 above, those references shall be construed as references to any index or index figure published by the Office for National Statistics in place of that index.

London Costs Allowance

4.5. The extra living costs and working unsociable hours in London should be reflected in a London Costs Allowance consolidated into a taxable amount of £7,500 for Members who do not or are not eligible to claim Personal Additional Accommodation Expenditure. (3 July 2008)

4.6. Members representing inner London constituencies will receive the London Costs Allowance automatically with their salary. (MEC, 2 March 2009)

4.7. Members representing constituencies outside inner London can choose between receiving the London Costs Allowance and Personal Additional Accommodation Expenditure; a choice may be altered no more than once a year. (3 July 2008; MEC, 2 March 2009)

5 Administrative and Office Expenditure (AOE)

5.1. Administrative and Office Expenditure should meet the cost of facilities, equipment, supplies and services which Members incur in discharging parliamentary duties. It may only be used to meet the following costs:

- Accommodation for office or surgery use or for occasional meetings;
- Equipment and supplies for the office or surgery;
- Work commissioned and bought-in services;
- Certain travel costs not met out of travel expenditure. (5 July 2001; MEC, 2 March 2009)

5.2. Up to 10% of the AOE payable to a Member in any allowances year may be anticipated in the previous allowances year or carried forward to the subsequent allowances year, subject to detailed rules issued under the authority of the House of Commons Members Estimate Committee. (MEC, 9 February 2004)

5.3. The AOE should be uprated annually in line with the percentage increase (if any) by which the retail prices index for the previous December has increased compared with the index for the December before that. (5 July 2001; MEC, 15 March 2004)

5.4. Entitlement to AOE may be transferred for use as Staffing Expenditure or Communications Expenditure. (MEC, 2 March 2009)

6 Staffing Expenditure

6.1. Staffing expenditure may be used to meet the following costs: staff salaries and employer's National Insurance Contributions; bonuses (limited to 15% of gross annual salary received in the allowances year) and overtime payments; payments for bought-in

services; additional staff costs; redundancy payments; settlements made at tribunals and court hearings.

6.2. If a member of staff is paid from Staffing Expenditure, the Department of Resources will make regular payments from central funds, equivalent to 10% of salary, to the Portcullis Pension Plan. (*5 July 2001; MEC, 2 March 2009*)

6.3. Members must ensure their staff are: employed to meet a genuine need in supporting the Member in performing his or her parliamentary duties; able and (if necessary) qualified to do the job; and actually doing the job; and must ensure that the resulting costs charged to this allowance are reasonable and entirely attributable to the Member's parliamentary duties. (*MEC, 2 March 2009*)

6.4. For payments from Staffing Expenditure, Members must deposit staff contracts and job descriptions with the Department of Resources; standard contracts prepared by the Department of Resources and approved by the Committee on Members' Allowances must be used (with exceptions for staff employed before 5 July 2001, self-employed contractors and certain staff approved by the Department who are employed on non-standard jobs), and must be deposited with the Department within eight weeks of staff starting work. (*3 July 2008; MEC, 2 March 2009*)

6.5. The total costs of employing such staff, attributable to a particular Member, excluding the pension contribution set out at paragraph 6.2 above, should not in any financial year exceed £103,812; and these sums should be adjusted on 1 April each year in line with the Average Earnings Index for public and private sectors combined. (*3 November 2004; MEC, 13 December 2004, 2 March 2009*)

6.6. Provision should be made under arrangements approved by Mr Speaker to enable a Member in receipt of Staffing Expenditure to incur further expenses for parliamentary duties by obtaining a substitute member of staff or contractor, or additional hours from existing staff, while a person to whom a salary is paid by the Member is absent for more than two weeks through sickness, adoption leave, maternity leave or disability within the meaning of the Disability Discrimination Act 1995. (*5 June 1981; MEC, 2 March 2009*)

6.7. Up to 10% of the Staffing Expenditure payable to a Member in any allowances year may be anticipated in the previous allowances year or carried forward to the subsequent allowances year, subject to detailed rules issued under the authority of the Members Estimate Committee. (*MEC, 9 February 2004*)

6.8. Up to 10% of entitlement to Staffing Expenditure may be transferred to Administrative and Office Expenditure or Communications Expenditure. (*MEC, 2 March 2009*)

7 Travel Expenditure

7.1. The cost to Members of all first or standard class travel within the United Kingdom on parliamentary business should be reimbursed or qualify for payment of the car mileage allowance. (*10 April 1924,¹⁵ 4 March 1980*)

7.2. Travel Expenditure may be used for the reasonable cost of overnight accommodation where a journey has had to be broken due to unforeseen circumstances beyond the control of the person undertaking the journey. (*MEC, 2 March 2009*)

Mileage Allowance

7.3. Provision should be made with respect to the rates of the car mileage allowance payable to Members in respect of journeys—

- a) By Members
- b) By spouses, civil partners or persons in respect of whom Staffing Expenditure is payable. (*10 July 1996*)

7.4. The car mileage allowance should be payable at the same rate as the car mileage rates approved by HM Revenue and Customs. (*3 November 2004, MEC, 2 March 2009*)

7.5. There should be separate limits on the mileage which can be claimed without supporting documents for small, medium-sized and large constituencies. (*3 July 2008*)

7.6. Provision should be made with respect to the rates of mileage allowance payable to Members in respect of journeys by motorcycle or bicycle for which, if undertaken by car, the car mileage allowance would be payable—

- a) By Members, or
- b) By spouses, civil partners, children or persons in respect of whom Staffing Expenditure is payable. (*29 January 2004*)

7.7. In respect of journeys by motorcycle, a motorcycle mileage allowance shall be payable at the same rate as the motorcycle mileage rate approved by HM Revenue and Customs and then in force. In respect of journeys by bicycle, a bicycle mileage allowance shall be payable at the same rate as the bicycle mileage rate approved by HM Revenue and Customs and then in force. (*29 January 2004*)

7.8. The cost of reasonable parking should be reimbursed. (*3 November 2004; MEC, 13 December 2004, 2 March 2009*)

7.9. Arrangements should be made by the Department of Resources for ensuring that claims are supported by appropriate particulars. (*10 July 1996*)

¹⁵ See HC Deb (1924) 172 c. 663.

Travel to European Institutions, agencies and national parliaments

7.10. Provision should be made for reimbursing Members in respect of the cost of travelling on parliamentary duties between the United Kingdom and any European Union Institution or agency and to the national parliament of a member state of the Council of Europe, and any additional expenses necessarily incurred in such travelling, subject to the conditions that—

- a) The total number of return journeys for which a Member claims reimbursement in any year, beginning with 1 April, does not exceed three; the travel costs of a return journey do not exceed the cost of a return business class airfare; and the destination is the location of any of the bodies specified above;
- b) Subsistence for each journey made under these provisions shall be restricted to two nights at the Civil Service class A standard subsistence rate for the time being in operation; and
- c) A Member must submit in advance to the Department of Resources a statement of the visit's purpose, location and duration and the persons or organisations to be met. (9 May 2002; MEC, 9 February 2004, 2 March 2009)

7.11. Expenditure under this Budget should form part of the General Services Budget and, if so advised by the Committee on Members' Allowances, the Speaker and the Leader of the House shall have the power to vary the provisions set out at paragraph 7.10 above in future financial years. (9 May 2002)

Members' staff

7.12. Provision should be made for—

- a) the extension of the facilities available to Members for free travel by rail, sea, air or public road transport, and
- b) the payment, at the rate applicable to Members travelling on parliamentary duties, of a car mileage allowance

to persons in respect of whom the Staffing Allowance of a Member is payable so as to cover not more than 24 single journeys between London and that Member's constituency made in connection with the Member's parliamentary duties in each allowances year. (19 July 1983; MEC, 15 March 2004, 2 March 2009)

Members' spouses and civil partners

7.13. The facilities available to a Member travelling on parliamentary duties should be extended to the spouse or civil partner of any Member for not more than 30 single journeys by rail, sea or air services in each allowances year, being journeys between—

- a) London and the Member's constituency, or
- b) London and the Member's main home. (7 April 1971; 22 July 1975; MEC, 15 March 2004, 2 March 2009)

7.14. Provision should be made for the payment of a car mileage allowance in respect of any journey by a spouse of a Member for which facilities for free travel would be available to him or her if the journey were made by rail, sea or air. (10 June 1982)

7.15. Any journey in respect of which the allowance is paid should count against the number of journeys for which facilities for free travel may be provided. (4 March 1980)

Members' children

7.16. The facilities available to the spouse or civil partner of a Member for free travel in accordance with the provisions set out at paragraphs 7.13–7.15 above should be extended to children of the Member under the age of 18 and to children of the Member aged over 18 who have a disability.¹⁶ (10 June 1982; MEC, 2 March 2009)

7.17. For the purposes of paragraph 7.16 above, a Member's children shall be taken to include step-children, adopted children, foster children and any other child living as one of the Member's family. (10 June 1982)

7.18. A journey by a child of a Member, being a journey in respect of which facilities for free travel are provided, should not count against the number of journeys for which facilities for free travel are available to the Member's spouse or civil partner. (22 July 1975; 19 July 1983; MEC, 15 March 2004)

8 Communications Expenditure

8.1. Provision should be made for Communications Expenditure in accordance with paragraphs 8.2–8.5 below.

8.2. Communications Expenditure shall be for the purpose of assisting Members with expenditure incurred wholly, exclusively and necessarily in communicating with the public on parliamentary business, and the scope of the allowance shall be as set out in the First Report of the Members Estimate Committee of 2006–07. (28 March 2007)

8.3. Communications Expenditure shall be at a rate of £10,400 per year for each Member; it shall be frozen at that level from April 2009 until April 2012, and thereafter will be uprated annually in line with RPIX. (28 March 2007; 3 July 2008).

8.4. The detailed rules and guidance for Communications Expenditure shall be determined and reviewed from time to time by the Members Estimate Committee. (28 March 2007)

8.5. Approval must be obtained from the Department of Resources before committing to expenditure above £1,000 for production and design costs. (MEC, 2 March 2009)

¹⁶ Travel facilities for a Member's children under the age of 18 are extended to cover children over 18 still in full-time secondary education until the end of the academic year in which their 18th birthday falls. (MEC, 12 December 2005).

9 Financial Assistance to Opposition Parties

Parliamentary business

9.1. Financial assistance to assist an opposition party in carrying out its parliamentary business shall be available if—

- a) There are at that time at least two Members of the House who are members of the party and who were elected at the previous General Election after contesting it as candidates for the party, or
- b) There is at that time one such Member who was so elected and the aggregate of the votes cast in favour of all the party's candidates at that election was at least 150,000.

9.2. The amount of financial assistance which may be given under the provision set out at paragraph 9.1 above to any party in respect of the expenses incurred by it in any period shall be the aggregate of—

- a) The first relevant amount for that period multiplied by the number of seats won by its candidates at the Election; and
- b) The second relevant amount for that period multiplied by one two-hundredth of the number of votes cast for its candidates at that Election (rounded down to the nearest whole number).

9.3. The first relevant amount shall be £14,015 and for any subsequent period of one year beginning with 1 April the first relevant amount shall be that amount for the previous period but increased by the appropriate percentage for the subsequent period; and the second relevant amount shall be £27.99, and for any subsequent period of one year beginning with 1 April the second relevant amount shall be that amount for the previous period but increased by the appropriate percentage for the subsequent period.

9.4. The appropriate percentage for any period is the percentage by which the Retail Prices Index for the month of December immediately preceding that period has increased compared with the Retail Prices Index for the previous December.

9.5. Financial assistance provided under the terms of this provision shall be paid in arrears, at intervals of not less than one month.

9.6. Without prejudice to the generality of the provision set out at paragraph 9.1 above, financial assistance towards travelling and associated expenses necessarily incurred by an opposition party's spokesman in relation to the party's parliamentary business shall be available if one of the conditions specified at paragraph 9.1 above is satisfied with respect to the party.

9.7. The maximum amount of financial assistance which may be given under the provision set out at paragraph 9.6 above to any party in respect of the expenses incurred in any period shall be such of the available amount for that period as may be allocated to the party in accordance with any apportionment as set out at paragraph 9.8 below.

9.8. The available amount for any period shall be apportioned between each of the opposition parties in the same proportion as the amount of financial assistance which may be given to each of them under the provisions set out at paragraph 9.1 above for that period or for any period forming part of that period.

9.9. The available amount for the period of a year beginning 1 April 2009 shall be £153,956. The available amount for any subsequent period is the available amount for the previous period, increased by the appropriate percentage (as specified at paragraph 9.4 above) for the subsequent period.

9.10. Financial assistance shall be available for the costs necessarily incurred in the running of the Office of the Leader of the Opposition. For the period of one year beginning with 1 April 2009, the amount of financial assistance which may be given under this paragraph in respect of expenses incurred in that period shall be £652,936. For any subsequent period of one year beginning with 1 April the relevant amount shall be that amount for the previous period but increased by the appropriate percentage (as specified at paragraph 9.4 above).

9.11. Financial assistance under the provisions set out at paragraph 9.1 above shall be paid in arrears, at intervals of not less than one month.

9.12. Any claims for financial assistance towards travelling expenses incurred by an opposition party spokesman in relation to the party's parliamentary business as set out at paragraph 9.6 above are to be made to the Accounting Officer of the House; and a party claiming such assistance shall—

- a) Furnish that Officer with a statement of the facts on which the claim is based, and
- b) Certify to that Officer that the expenses which are claimed have been incurred exclusively in relation to the party's parliamentary business in accordance with the provisions set out at paragraph 9.6 above.

9.13. As soon as practicable, but no later than nine months after 31 March each year, a party claiming financial assistance under the provisions set out at paragraphs 9.1 to 9.11 above shall furnish the Accounting Officer of the House with the certificate of an independent professional auditor, in a form determined by the Accounting Officer, to the effect that all expenses in respect of which the party received financial assistance during the period ending with that day were incurred exclusively in relation to the party's parliamentary business.

9.14. If an audit certificate as referred to at paragraph 9.13 above has not been furnished within the time specified, no further financial assistance under the provisions set out at paragraphs 9.1 to 9.11 above shall be paid until such a certificate is furnished.

9.15. In the case of any year in which there is a General Election—

- a) The period ending immediately before the date of the Election, and
- b) The period beginning with that date

shall be treated for the purposes of the provisions set out at paragraphs 9.1 to 9.11 above as separate periods.

9.16. In relation to any such separate periods—

- a) The first relevant amount and the second relevant amount for the period ending immediately before the date of the General Election shall be apportioned according to the number of days in that period as a proportion of the total number of days in the year in question, and
- b) The available amount for the period beginning with the date of the General Election shall be a proportionate part of the available amount for the year in question.

9.17. In relation to any such separate period ending immediately before the date of the election, the provisions set out at paragraph 9.13 above shall have effect as if the 31 March referred to were a reference to the day immediately before the date of the Election.

9.18. The cost of providing financial assistance shall be borne on the House of Commons: Members' salaries etc Vote. (*26 May 1999; MEC, 15 March 2004*)

Representative business

9.19. Financial assistance shall be provided, with effect from 1 November 2005, to any opposition party represented by Members who have chosen not to take their seats and thus do not qualify to participate in the proceedings in Parliament, towards expenses wholly, exclusively and necessarily incurred for the employment of staff and related support to Members designated as that party's spokesmen in relation to the party's representative business.

9.20. The amount of financial assistance payable to a party shall be calculated and paid by analogy with paragraphs 9.1 to 9.9 and 9.11 above.

9.21. As soon as practicable, but no later than nine months after 31 March each year, a party claiming financial assistance under paragraph 9.19 above shall furnish the Accounting Officer of the House with the certificate of an independent professional auditor, in a form determined by the Accounting Officer, to the effect that all expenses in respect of which the party received financial assistance during the period ending with that day were incurred exclusively in accordance with paragraph 9.19 above.

9.22. If an audit certificate under paragraph 9.21 above has not been furnished within the time specified no further financial assistance under paragraph 9.19 shall be paid until such a certificate is so furnished. (*8 February 2006*)

10 Members who leave the House

10.1. The salary which, in accordance with any Resolution of the House for the time being in force, is payable to any Member of the House in the present or any future Parliament should continue to be payable to him after the dissolution of that Parliament

and until the end of the day of the poll in a General Election consequent upon that dissolution. (20 December 1971)

10.2. Expenses which, at a time when Parliament is dissolved, are incurred in connection with his or her former or prospective parliamentary duties by a person who was a Member immediately before the dissolution shall be treated as incurred by him or her as a Member and for his or her parliamentary duties. (5 June 1981)

Resettlement Grant

10.3. On the dissolution of the present or any future Parliament a grant should be payable to any person who is a Member immediately before the dissolution and at the General Election consequent upon the dissolution either does not stand for election to the House or, if he or she does, is not elected. (22 May 1991)

10.4. The amount of the grant in the case of any such person should be equal to the relevant percentage of a year's salary at the highest rate payable to Members immediately before the dissolution, the relevant percentage for this purpose being that shown in the table below¹⁷ in relation to—

- a) His or her age at the dissolution;
- b) The number of years for which he or she has served as a Member of the House before the dissolution.

TABLE

Percentage of Yearly Salary							
Age	Number of years of service						
	Under 10	10	11	12	13	14	15 or over
Under 50	50	50	50	50	50	50	50
50	50	50	52	54	56	58	60
51	50	52	55	58	62	65	68
52	50	54	58	63	67	72	76
53	50	56	62	67	73	78	84
54	50	58	65	72	78	85	92
55–64	50	60	68	76	84	92	100

¹⁷ On 3 July 2008, the House agreed that from the end of the next Parliament the basis of the Resettlement Grant should be shifted towards Members leaving the House in their early fifties. See Third Report from the Members Estimate Committee, 2007–08, *Review of Allowances*, HC 578, paras 252–3.

65	50	58	65	72	78	85	92
66	50	56	62	67	73	78	84
67	50	54	58	63	67	72	76
68	50	52	55	58	62	65	68
69	50	50	52	54	56	58	60
70 or over	50	50	50	50	50	50	50

10.5. In calculating, for the purposes of paragraph 10.4 above, the number of years for which a person has served as a Member before the dissolution there shall be disregarded—

- a) Any fraction of a year for which he or she has so served, and
- b) If a grant was payable under any resettlement grant Resolution,¹⁸ any period of service which was taken into account or disregarded on that occasion. (*22 May 1991*)

Winding-up Expenditure

10.6. Provision should be made under arrangements approved by the Speaker for an allowance to be made in respect of the expenses which, after a person has ceased to be a Member, are still required to be incurred in connection with his or her parliamentary duties. (*13 July 1994*)

10.7. The limit on that allowance should be four-thirds of the amount which, for a quarter in the year in which that person ceases to be a Member, is the limit for that Member on Administrative and Office Expenditure and Staffing Expenditure at the time that person ceases to be a Member. (*13 July 1994; 5 July 2001*)

10.8. The allowance should be paid to the person who has ceased to be a Member or, if he or she has died, to his or her personal representatives or a person nominated by him or her or selected under the arrangements approved by the Speaker. (*13 July 1994*)

10.9. Any limit determined in accordance with the provisions set out at paragraphs 10.3 and 10.4 above should be calculated to the nearest pound. (*13 July 1994; 5 July 2001; MEC, 9 February 2004*)

¹⁸ 20 December 1971, 4 March 1980, 19 July 1983.

House of Commons Members' Fund

10.10. The amount of sums to be deducted or set aside from the salaries of Members of the House of Commons under subsection (3) of section one of the House of Commons Members' Fund Act 1939 should be £24 per annum. *(17 May 1961)*

10.11. There should be appropriated, from the sums deducted from the salaries of Members under the House of Commons Members' Fund Act 1939, one-tenth of these deductions in the current year for the purposes of administering the provisions of the House of Commons Members' Fund Act 1948, section 4. *(18 May 1953)*

11 Miscellaneous

General Services Budget

11.1. Central funding by way of a General Services Budget should provide for—

- a) Relevant training of Members and Members' staff in connection with their parliamentary duties;
- b) Any appropriate insurance provision;
- c) Any additional reimbursement of exceptional expenses incurred by Members who have constituencies with particular problems;
- d) Reasonable adjustments to the working conditions and equipment of Members with particular needs because of disability, and for necessary additional continuing costs;
- e) Any additional payments to Members in respect of safety precautions to safeguard their staff, their office equipment and themselves, where such safety precautions have been recommended by the police; and
- f) Other appropriate expenditure within the ambit of the Vote, under the authority of the Speaker. *(5 July 2001)*

Insurance

11.2. Provision should be made for the insurance of Members in relation to the performance of their duties as Members under arrangements (including financial limits to the cover provided) made from time to time with the approval of the Leader of the House and the Speaker. *(23 May 2000)*

11.3. Subject to the terms and conditions of any policy effected under the approved arrangements, the insurance for which provision is made as set out at paragraph 11.2 above may cover the following:

- a) Travel;
- b) Personal accident;
- c) Personal accident in respect of employees of Members;

- d) Employers' liability and public liability; and
- e) The cost of defending a civil claim for defamation and of payment in respect of any award made by a court in such a claim, where the act complained of was not covered by parliamentary privilege but arose from a Member's duty as a Member. (23 May 2000)

11.4. Arrangements made for insurance of the type referred to at paragraphs 11.1 and 11.2 above may provide for the spouses or civil partners of Members to be covered as well as the Members themselves. (23 May 2000)

IT provision

11.5. Specific financial provision should be made for the supply and maintenance of a standard package of Information Technology equipment and services for each Member to be used exclusively in discharging their duties as Members. In line with recommendations of the Report of the Review Body on Senior Salaries laid before Parliament on 21 October 2004, each Member should have access to—

- a) one fixed workstation and one laptop for his or her own use, plus three further workstations,¹⁹ so that each full-time equivalent member of staff paid for through the Staffing Allowance has his or her own PC; and
- b) a heavy-duty printer in both Westminster and the constituency;

the level and range of IT support offered to constituency offices to be comparable with that offered on the Parliamentary Estate. (5 July 2001; 3 November 2004)

Recall of the House during a recess

11.6. With respect to any occasion on which, during a recess, this House is recalled before the expected end of the recess,²⁰ Members who attend the House during the recall should be reimbursed²¹ in respect of such extra costs²² which are wholly and exclusively attributable to the recall as are necessarily incurred by them in connection with travelling—

- a) From any place to London, and
- b) During any further recess immediately following the recall, from London to any place (provided that the purpose is to fulfil, before the expected end of that further recess, plans which were in existence before the recall). (13 July 1994)

19 Up to two workstations may be substituted by an equivalent number of laptops. (MEC, 27 February 2006).

20 'Recess' refers not only to a period when Parliament stands prorogued to a specified date but also to any period when the House stands adjourned to a specified date, and the references to the expected end of a recess are references to that specified date.

21 Reimbursement comprises payment to the Member of the amount of the extra costs concerned and the payment to HM Revenue and Customs, on account of the income tax liability of the Member, of the difference between that amount and such sum as, after deduction of tax at the marginal rate applicable to the Member, is equal to that amount.

22 Costs in respect of which the Member cannot be otherwise reimbursed.

Private Members' Bills

11.7. Provision should be made for the payment to each of the Members who shall have secured the first ten places in the ballot for Private Members' Bills of not more than £200 towards the cost of drafting assistance for such bills. (29 November 1971)

Members who have chosen not to take their seats

11.8. Those Members who have chosen not to take their seats and thus do not qualify to participate in the proceedings in Parliament may use the facilities within the precincts of the House and the services of departments of the House, and may claim support for their own costs and the allowances relating to travel within the United Kingdom for Members, their families and staff. (18 December 2001)

Time limit on expenses claims

11.9. A claim by a Member for expenses, or for any allowance in respect of expenses, should be submitted within a period of two months after the end of the allowances year in which the relevant expenses have been incurred. (20 December 1971; MEC, 9 February 2004)

Members Estimate Committee and the Committee on Members' Allowances

11.10. There shall be a Committee of the House, called the House of Commons Members Estimate Committee. The Members of the House of Commons Members Estimate Committee shall be those Members who are at any time members of the House of Commons Commission pursuant to section 1 of the House of Commons (Administration) Act 1978; the Speaker shall be chairman of the Committee and three shall be the quorum of the Committee. (29 January 2004)

11.11. The functions of the Committee shall be—

- a) to codify and keep under review the provisions of the Resolutions of this House relating to expenditure charged to the Estimate for House of Commons: Members;
- b) to modify those provisions from time to time as the committee may think necessary or desirable in the interests of clarity, consistency, accountability and effective administration, and conformity with current circumstances;
- c) to provide advice, when requested by the Speaker, on the application of those provisions in individual cases;
- d) to carry out the responsibilities conferred on the Speaker by the Resolution of the House of 5 July 2001 relating to Members' Allowances, Insurance, &c²³;
- e) to consider appeals against determinations made by the Committee on Members' Allowances under paragraph 11.14 below (29 January 2004; 3 March 2009).

23 The Resolution was amended on 22 January 2009 by leaving out paragraph (5), relating to an Advisory Panel.

11.12. The provision set out at paragraph 11.11 above does not empower the Committee—

- a) to create a new form of charge on the Estimate for the House of Commons: Members; or
- b) to increase any rate of charge or payment determined by Resolution of the House. (29 January 2004)

11.13. The Committee shall report to the House from time to time, and in any case not less than once a year, the provisions of the Resolutions of the House relating to expenditure charged to the Estimate for House of Commons: Members, as codified and modified pursuant to the provisions set out at paragraph 11.11 above. (29 January 2004)

11.14. There shall be a select committee, called the Committee on Members' Allowances

- a) to advise the House of Commons Members Estimate Committee on the discharge of its functions;
- b) to advise the Speaker, the Members Estimate Committee and the Leader of the House on the potential development of the arrangements made by or under the Resolutions in force from time to time regarding Members' allowances &c;
- c) to approve practice notes to be used in administering Members' allowances which may be issued by the House; and
- d) to determine (subject to any appeal to the Members Estimate Committee) the application of the rules in such individual cases as may be referred to them by hon Members, in accordance with procedures prescribed by the Committee.

The Committee shall consist of eight Members. (10 February 2009; 3 March 2009)

Formal Minutes

Monday 2 March 2009

Members present:

Mr Speaker, in the Chair

Sir Stuart Bell
Ms Harriet Harman
Alan Duncan

Nick Harvey
David Maclean

Draft Report (*Consolidated list of provisions of the Resolutions of the House relating to expenditure charged to the Estimate for House of Commons: Members*), proposed by the Chairman, brought up and read.

Ordered, That the Chairman's draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 5 read and agreed to.

Annex 1 agreed to.

Resolved, That the Report be the Second Report of the Committee to the House.

[Adjourned till Monday 30 March at 5.00 pm]