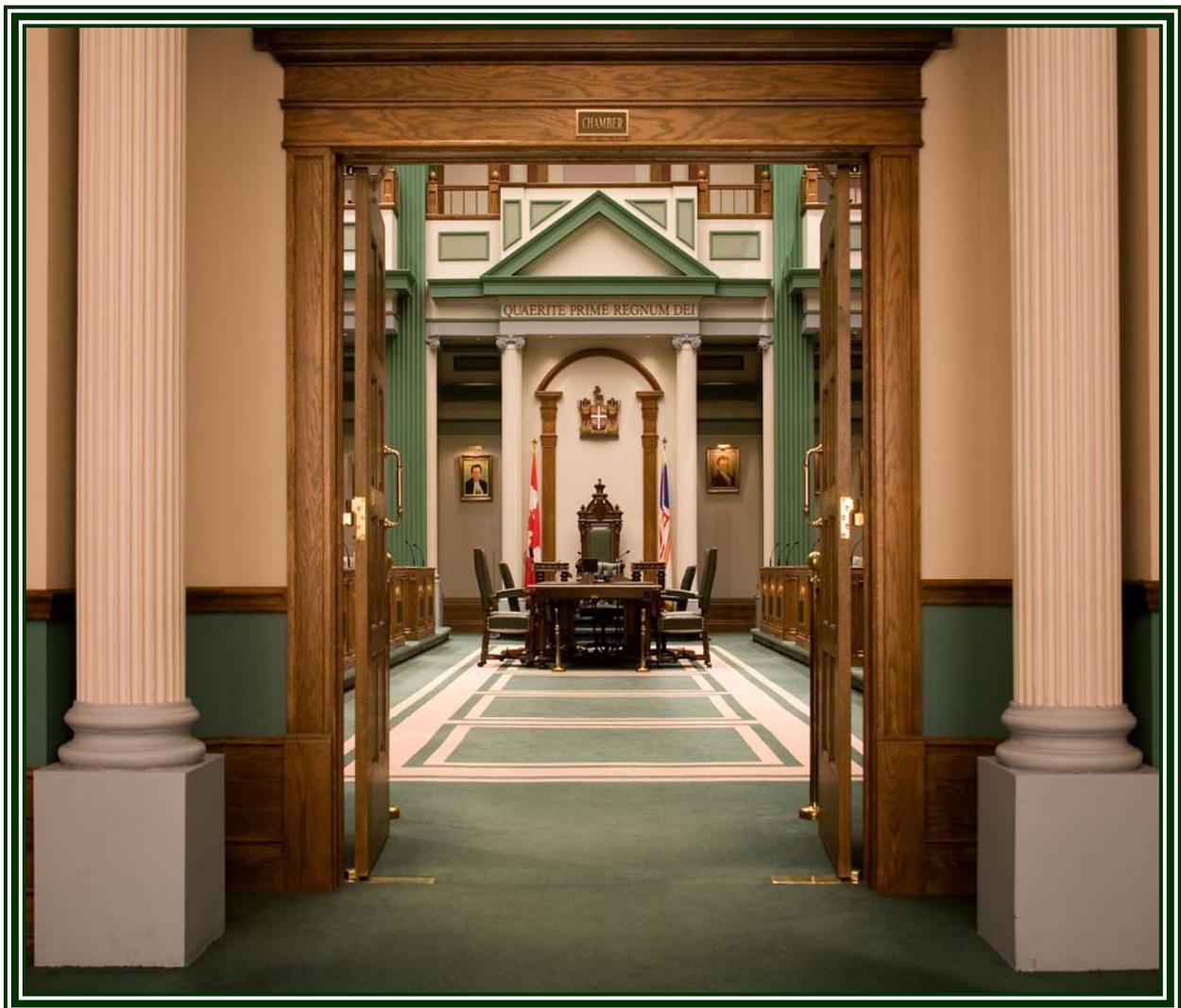




HOUSE OF ASSEMBLY
NEWFOUNDLAND AND LABRADOR



MEMBERS' RESOURCES AND ALLOWANCES
RULES MANUAL

October 2007

INTRODUCTION

This Members' Resources and Allowances Rules Manual has been developed to assist the Members of the House of Assembly with the schedule of Rules adopted under the *House of Assembly Accountability, Integrity and Administration Act*. As a result of the changes from the Act and the recommendations of the Review Commission on Constituency Allowances and Related Matters lead by Chief Justice Green, the House of Assembly staff, under the leadership of Speaker Harvey Hodder, has developed two separate guides for Members: (1) a Members' Handbook and (2) a Members' Resources and Allowances Rules Manual.

These two volumes provide information respecting a range of issues affecting Members of the House of Assembly and attempt to present this information in a readily accessible manner and structure. The explanations contained in the Handbook and Manual, however, are summaries only and reference must be made to the appropriate statutes and policies for definitive authority.

The House of Assembly Service will circulate updates and new sections, as required, in loose-leaf format so that the Handbook and Manual can be kept current. We appreciate all feedback on ways to improve these guides. Those recommendations respecting the Members' Resources and Allowances Rules Manual may be directed to Ms. Marlene Lambe, Chief Financial Officer. Recommendations respecting the Members' Handbook may be forwarded to Ms. Marie Keefe, Policy Officer in the Clerk's Office.

William MacKenzie
Clerk of the House of Assembly

Table of Contents

LISTING OF DIRECTIVES..... IV

1.0 STRUCTURE OF THE RULES MANUAL 1-1

2.0 DEFINITIONS 2-1

3.0 PURPOSES AND PRINCIPLES 3-1

 3.1 PURPOSE OF THE RULES..... 3-1

 3.2 PRESUMPTIONS OF THE RULES 3-1

 3.3 PRINCIPLES OF THE RULES..... 3-2

 3.4 MEMBER RESPONSIBILITY 3-3

 3.5 RESTRICTIONS ON CLAIMS 3-4

 3.6 MEMBER PERSONAL LIABILITY 3-5

4.0 RECORDS AND DISCLOSURE 4-1

 4.1 RECORDS..... 4-1

 4.2 MONTHLY REPORTS 4-2

 4.3 EXPENDITURE SUMMARY STATEMENTS FROM THE CLERK..... 4-3

 4.4 PUBLIC ACCESS TO STATEMENTS 4-4

 4.5 SPEAKER REQUIREMENTS 4-4

5.0 ALLOWANCES AND CLAIMS 5-1

 5.1 CATEGORIES OF ALLOWANCES 5-1

 5.2 DISAGREEMENT WITH SPEAKER DECISION 5-3

 5.3 CLAIMS AND PURCHASING 5-4

 5.3.1 *Charges to Members' Accounts*..... 5-5

 5.3.2 *Purchasing Policies* 5-6

 5.3.3 *Purchase of Items under the Operations, Supplies, Communications Allowance*.. 5-7

 5.3.4 *Members' Claims*..... 5-8

 5.3.4.1 General Principles..... 5-8

 5.3.4.2 Procedures and Documentation..... 5-9

 5.4 FORMS..... 5-11

6.0 OFFICE ALLOWANCE..... 6-1

 6.1 ELIGIBILITY FOR OFFICE EXPENSES..... 6-2

 6.2 ELIGIBILITY FOR CONSTITUENCY OFFICE ACCOMMODATION 6-4

 6.3 NATURE OF OFFICE AND LOCATION 6-6

 6.3.1 *Constituency Office*..... 6-8

 6.3.2 *How to organize and operate a Constituency Office*..... 6-9

 6.4 CHANGING ARRANGEMENTS 6-11

 6.5 ELIGIBILITY FOR SPACE 6-11

 6.6 OFFICE OPERATIONS, SUPPLIES AND COMMUNICATIONS ALLOWANCE 6-12

7.0 OPERATIONAL RESOURCES 7-1

 7.1 STANDARD OFFICE ALLOCATION 7-2

 7.2 SUPPORT STAFF 7-5

 7.3 OTHER RESOURCES 7-6

Table of Contents

8.0	TRAVEL AND LIVING ALLOWANCE	8-1
8.1	DEFINITIONS	8-2
8.2	PRINCIPLES	8-4
8.3	TYPES OF TRAVEL AND LIVING ALLOWANCE	8-7
8.4	MODES OF TRAVEL.....	8-9
8.5	NO BANKING OF WEEKLY TRAVEL.....	8-13
8.6	TRAVEL UNDER SPECIAL CIRCUMSTANCES.....	8-14
8.7	ACCOMMODATION EXPENSES	8-15
8.8	ACCOMMODATIONS EXPENSES – SECONDARY RESIDENCE	8-16
8.9	RESTRICTIONS ON MEAL ALLOWANCE	8-17
8.10	BUDGETARY REQUESTS.....	8-18
8.11	APPLICATION OF TRAVEL AND LIVING ALLOWANCE RULES	8-19
	<i>MHA-1 Permanent residence in Capital Region and District outside Capital Region..</i>	<i>8-20</i>
	<i>MHA-2 Permanent residence in District which is outside Capital Region.....</i>	<i>8-29</i>
	<i>MHA-3 Permanent residence and District within Capital Region</i>	<i>8-36</i>
	<i>MHA-4 Permanent residence not in District or Capital Region.....</i>	<i>8-42</i>
8.12	INTRA-CONSTITUENCY ALLOWANCE – ANNUAL ALLOCATION	8-53
9.0	CONSTITUENCY ALLOWANCE.....	9-1
9.1	EXPENSES RELATED TO CONSTITUENCY WORK.....	9-2
10.0	COMMITTEE ALLOWANCE	10-1
11.0	DIRECTIVES OF THE COMMISSION	11-1
12.0	SCHEDULE OF RULES - HOUSE OF ASSEMBLY, ACCOUNTABILITY, INTEGRITY AND ADMINISTRATION ACT.....	12-1

Listing of Directives

The House of Assembly Management Commission is authorized under section 20(6)(b)(i), to issue Directives which interpret, clarify or amplify the Rules. As of the printing date of this manual, October 2007, the Commission had issued the Directives noted below. Members will be provided with future Directives of the Commission as they are issued.

Directive - (2007 - 001) - Harmonized Sales Tax 5-1
 Directive - (2007 - 008) - Start-up Allowance 6-5
 Directive - (2007 - 006) - Advertising..... 6-14
 Directive - (2007 - 003) - Standard Office Allocation 7-3
 Directive - (2007 - 005) - Memorial Wreaths 9-3

Note:

*Directives **CD 2007-002-Travel and Living Allowance** and **CD 2007-004- Secondary Residence** refer to several subsections of the Rules. As a result, they have been inserted within the appropriate sections of the Rules in this manual. Each insertion is footnoted to indicate that the interpretation of the Rule is a result of a Directive.*

1.0 Structure of the Rules Manual

This manual contains the complete Members' Resources and Allowances Rules as scheduled to the *House of Assembly Accountability, Integrity and Administration Act* and provides explanation and instructions for their application.

Sections of the Manual

The manual is divided into 12 sections. The first 5 sections of the manual provide an introduction, definitions of terms contained within the Rules, the general purpose and principles of the Rules, and general information on records and allowances. Section 5.3 of this manual contains detailed information on purchasing policies, procedures and documentation requirements. Section 5.4 includes copies of forms.

The remaining sections contain information on the Office Allowance, Operational Resources Allowance, Travel and Living Allowance, the Constituency Allowance and the Committee Allowance. These sections contain detailed information on amounts and activities permitted. Also included are the Directives of the Commission and the Schedule of Rules from the Act.

The Rules

Each section of this manual is divided into subsections based on the content of the Rules. Each subsection contains the applicable section of the Rules which is always presented in a boxed section using italicized text.

Where necessary, further explanation of a Rule has been provided. These explanations are provided in standard font with some bolding or italics and are intended to clarify the Rules.

Directives

Where a Directive has been issued by the Commission regarding a specific section of the Rules, the Directive follows the section of the Rules to which it applies with a brief explanation of the Directive.

The location of the Directives within the Rules section of the manual is indicated in a separate Table of Contents. Each Directive is also included in section 11 of this manual. Two directives issued at the August 29th, 2007 meeting of the Commission which interprets a number of subsections on the Travel and Living Allowance and the Secondary Residence are included verbatim in section 11. Parts of these Directives are included and footnoted in the applicable subsections of the Rules.

Forms

Members may obtain copies of these forms from the Corporate and Members' Services Division of the House of Assembly Service. Copies of required forms are included in this manual.

2.0 Definitions

1. These rules may be cited as the *Members' Resources and Allowances Rules*.

2. In these rules

(a) "Act" means the *House of Assembly Accountability, Integrity and Administration Act*;

(b) "allowance" means a category of allowance referred to in section 14;

(c) "associated person" means

(i) a person who is not at "arm's length";

(ii) a "related person"; and

(iii) an "associated corporation" within the meaning of the *Income Tax Act* (Canada);

(d) "Capital Region" means the area encompassing the following electoral districts as described and delineated in the *House of Assembly Act* as follows

(i) Cape St. Francis,

(ii) Conception Bay East & Bell Island,

(iii) Conception Bay South,

(iv) Kilbride,

(v) Mount Pearl,

(vi) Ferryland (North of Witless Bay Line)

(vii) St. John's Centre,

(viii) St. John's East,

(ix) St. John's North,

(x) St. John's South,

(xi) St. John's West,

(xii) Signal Hill-Quidi Vidi,

(xiii) Topsail,

(xiv) Virginia Waters, and

(xv) Waterford Valley;

(e) "comptroller general" means the Comptroller General as defined in the *Financial Administration Act*;

(f) "constituency business" means an activity directly connected with a member's responsibilities as a member in relation to the ordinary and proper representation of electors and their families and other residents in the constituency, but does not include partisan political activities;

(g) "direct", "directed" and "directive" mean a direction or directive made by the commission in accordance with the Act; and

(h) "House", unless the context indicates otherwise, means the House of Assembly service as that phrase is understood in the *House of Assembly Accountability, Integrity and Administration Act*.

Section 2: Definitions

Allowance means a category of allowance referred to in section 14 of the rules contained within the *Act*. A member may claim payment or reimbursement from the following categories;

- Office allowances;
- Operational resources;
- Travel and living allowances; and,
- Constituency allowance.

Capital Region means the area encompassing the following electoral districts as described and delineated in the *House of Assembly Act* (as amended 2007) as follows:¹

- i. Cape St. Francis;
- ii. Conception Bay East & Bell Island;
- iii. Conception Bay South;
- iv. Kilbride;
- v. Mount Pearl North;
- vi. Mount Pearl South;
- vii. Ferryland (North of Witless Bay Line);
- viii. St. John's Centre;
- ix. St. John's East;
- x. St. John's North;
- xi. St. John's South;
- xii. St. John's West;
- xiii. Signal Hill-Quidi Vidi;
- xiv. Topsail; and,
- xv. Virginia Waters.

Commission means the House of Assembly Management Commission which is charged with ensuring the effective and transparent administration of the House of Assembly as defined in the *Act*.

¹ The Districts within the Capital Region have been revised since the adoption of the *Act*. The *Act* originally contained references to Mount Pearl and Waterford Valley. These districts have been revised as Mount Pearl North and Mount Pearl South.

3.0 Purposes and Principles

3.1 Purpose of the Rules

3. *The purpose of these rules is:*
- (a) to provide resources to members to assist them to fulfill their public duties and responsibilities as members of the House, for the benefit of the residents of the province;*
 - (b) to promote accountability in, and transparency with respect to, the expenditure of public funds; and*
 - (c) to facilitate public understanding of the use of public funds in fulfillment of members' obligations.*

3.2 Presumptions of the Rules

4. *(1) Where the commission makes a direction or requires an action, that direction or requirement shall be made in writing or evidenced by written minutes of the proceedings or decision of the commission.*
- (2) The clerk may establish the forms necessary for the purposes of the implementation of these rules.*
- (3) Notwithstanding subsection (2), the commission may by directive, establish forms necessary for the implementation of these rules.*
- (4) Where in these rules an expense claim is permitted, that claim shall be made for the time and amount permitted under these rules or as directed or limited by the commission.*
- (5) Where the clerk or speaker makes a ruling that approves additional expenditures greater than that authorized under these rules the clerk or speaker shall report his or her approval at the next meeting of the commission and a notation of that approval shall be recorded in the minutes of the commission.*

The directives issued to date are included in the applicable section and in section 11.

Section 3: Purposes and Principles

3.3 Principles of the Rules

5. *(1) All claims and invoices submitted by or on behalf of a member or to provide resources to a member and all payments and reimbursements made under these rules shall*
- (a) be submitted and made in accordance with the purpose and intent of the Act and these rules;*
 - (b) be submitted by or on behalf of a member and made only if, and in a manner that does not call into question the integrity of the member and the House;*
 - (c) be documented and supported in accordance with sound financial management principles;*
 - (d) not relate to partisan political activities; and*
 - (e) shall not relate to a personal benefit to a member or an associated person of a member.*

A payment or reimbursement made to a Member of the House of Assembly is for an activity related to his or her role as an elected official and cannot be related to partisan political activities. Claims must be submitted for payment in accordance with the intent of the Act and the Rules in a manner that does not call into question the integrity of a Member or the House of Assembly. Payment and reimbursement must not result in personal benefit for the Member or an associated person.

Appropriate forms for expense reimbursement have been developed and are included in this manual in section 5.4.

5. *(2) The clerk and all staff of the House shall, subject to directives and approval of the commission, develop and maintain proper administrative and financial policies and procedures with respect to documentation to be provided in support of claims and invoices submitted for reimbursement or payment, and the clerk shall include those policies and procedures in the manual.*
- (3) The commission shall periodically, and at least once every year, review the adequacy of the policies and procedures being applied by the clerk and staff of the House and may direct changes that it considers appropriate to those policies and procedures to improve controls and accountability.*

The policies, procedures and documentation required for the processing of a Member's expense claim are included in section 5.3 of this manual.

3.4 Member Responsibility

6. (1) *A member making or incurring an expenditure is the person responsible for compliance with requirements for claims, payments and reimbursements of expenses under the Act and these rules.*

(2) A member is not relieved of his or her responsibility under subsection (1) either because he or she has delegated that responsibility to a Constituency Assistant or another person or because a claim has been accepted for payment by an official of the House or has been paid by the comptroller general.

(3) A member may be required to certify to the clerk, the commission or an auditor of the House that an expense that he or she is claiming or has claimed payment or reimbursement for has been actually incurred in compliance with the Act, these rules and directives of the commission.

(4) A member is responsible for maintaining appropriate records, operating his or her Constituency Office and engaging and training support staff in a manner that will facilitate compliance with the Act, the rules, directives and the manual.

(5) A member who is entitled to claim reimbursement under the Act and these rules for expenses or for daily amounts or mileage in accordance with policies relating to ministers, parliamentary assistants or other officers who,
(a) engages in activity; or
(b) travels in circumstances,

where the activity or travel relates both to constituency business and business governed by those policies, shall prorate the claim based on the proportion of time spent on constituency business.

A Member retains full responsibility for reimbursement of expenses even if that request for reimbursement is made on his or her behalf by another person.

Each signature on a form is a certification by the Member that an expense has actually been incurred in compliance with the Act, these Rules and any Directives from the Commission.

A Member is responsible for maintaining his or her own records, operating his or her own Constituency Office and engaging and training support staff in order to ensure they are capable of acting in a manner that ensures compliance with the Act. Further information on records management is included in the Members' Handbook.

This section of the Rules places responsibility for reimbursement of expenses very clearly on the Member. It requires that if the Member is also acting in the capacity of, or on behalf of, a Minister, a parliamentary secretary, parliamentary assistant or another officer, the expense must be prorated based on the proportion of time spent on constituency business, to ensure that only the appropriate amount is charged to the Member's House of Assembly allocation.

3.5 Restrictions on Claims

7.
 - (1) Allowances allocated to a member may be expended by that member during a fiscal year.
 - (2) A claim against an allowance for a payment or reimbursement shall be made in respect of the fiscal year in which the expenditure was made or incurred, and shall be submitted and received by the clerk not more than 30 days after the end of that fiscal year.
 - (3) An expenditure shall be considered to have been made or incurred when the goods and services to which that expenditure relates have been received.
 - (4) An unused balance of an allowance of a member at the end of a fiscal year may not be carried over for use in the following fiscal year.
 - (5) A purported expenditure or commitment to an expenditure by a member that exceeds the maximum allowed for that category of expenditure shall not be carried forward and reimbursed or paid from an allowance available in the next fiscal year unless it amounts to a precommitment of expenditure in a future fiscal year that is authorized by a directive or in accordance with a minute of the proceedings of the commission.
 - (6) A claim against an allowance for payment or reimbursement shall not be made more than 60 days after the date on which the expenditure was made.

A Member must submit a claim not later than 60 days after the date that the expense/activity occurred or the expense will not be reimbursed. Members are encouraged to submit claims on a timely basis.

A Member must make a claim against an allowance during the fiscal year that the expense occurred. The fiscal year ends March 31st but the *Financial Administration Act* permits a "write-back" period of 30 days to complete the processing of "old year" transactions.

Claims for expenses that occur up to the 31st of March of each fiscal year must be received by the Corporate and Members' Services Division by the 15th of April to allow processing time before the Financial Management System cutoff at 4:30 pm on the 30th of April. For claims received after the 15th of April, no payment will be issued.

3.6 Member Personal Liability

8. *(1) Where a member makes an expenditure or a commitment to an expenditure that exceeds the maximum allowed for that category of expenditure in a fiscal year, he or she shall be personally responsible for payment of that expenditure unless it amounts to a pre-commitment of expenditure in a future fiscal year that is authorized by directive or minute of the commission.*

(2) Where through inadvertence or otherwise a claim made by a member is paid from public funds and it is discovered that the claim should not have been paid or honoured because it was in excess of the maximum allowed for that category of expenditure, the member is liable for repayment of that amount to the extent of the excess and shall, upon request by the comptroller general, immediately pay that excess amount to the Consolidated Revenue Fund.

If a Member makes an expense or commits to an expense that is greater than the maximum allowed under a specific category, then the Member is personally responsible for payment. These amounts will not be reimbursed by the House of Assembly.

A pre-commitment of an expense for a future fiscal year can only be authorized by a Directive or Minute of the Commission.

The Comptroller General can require the repayment of any excess amounts paid.

4.0 Records and Disclosure

4.1 Records

9. (1) *A member shall keep records of all:*

- (a) expenditures made or committed; and*
- (b) claims made against allowances, by him or her, together with copies of supporting documents for those expenditures and claims.*

(2) A member shall make the records referred to in subsection (1) available for inspection and copying by the speaker, the auditor general or another auditor employed by the commission on behalf of the House and the comptroller general.

A Member **must** keep records of all expenses and claims as well as all supporting documents. For further information on records management, refer to section 3.2.4 of the Members' Handbook.

4.2 Monthly Reports

10. *(1) Before the 21st day of each month, the clerk shall prepare and provide to each member a written report outlining for the preceding month:
 - (a) reimbursements made to the member*
 - (b) payments made on the member's behalf together with*
 - (c) a statement highlighting the total amount spent by the member during the current fiscal year in each category of allowance; and*
 - (d) the amount in each category that remains unspent or uncommitted for the current fiscal year.**
- (2) The clerk shall advise the speaker and a member whenever the amount spent by that member, expressed as a percentage of the total allowable allowance permitted for that year, is an amount that is in excess of more than 10% of the amount permitted for the portion of the fiscal year that has elapsed and the allowance amount permitted for the fiscal year shall be considered to be allocated in equal monthly amounts throughout that year.*
- (3) An electronic system accessible by a member from which he or she may obtain the information required under subsection (1) shall be considered to satisfy the requirements of that subsection.*

Before the 21st day of each month, a Member will receive a package of monthly reports for the preceding month.

The **Expenditure Summarized by Category** report will summarize by category all expenditures charged to the Member's allocation during a particular month, the total fiscal year to date expenditures and the funds available (if applicable). There are also separate reports for each category and sub-category which provide details of expenditures under that category.

In addition, a Member will receive an **Expenditure Summarized by Member Expense Claim** report which provides expenditure details (by category) organized by claims submitted. This report will assist Members in reconciling the claims submitted to the expenditures as shown on the separate reports by category.

4.3 Expenditure Summary Statements from the Clerk

11. (1) *Twice in each fiscal year the clerk shall prepare a statement summarizing by category of expenditure the amounts paid in respect of which claims were made and paid against the allowances that each member is entitled to access.*
- (2) *The clerk shall provide each statement prepared under subsection (1) to the member to whom the statement relates for review and approval by that member.*
- (3) *Within 21 days of receipt of a statement under this section, a member shall sign the statement acknowledging its accuracy or may state in writing to the speaker objections that he or she has with respect to its accuracy.*
- (4) *Failure to respond to the statement within the time specified under subsection (3) shall be considered to be an acceptance by the member of its accuracy.*
- (5) *A statement prepared under this section that is sent by ordinary mail shall be considered to have been received 5 days after its date of posting.*

4.4 Public Access to Statements

12. (1) *After the expiration of 21 days referred to in subsection 11(3), a member shall:*
- (a) file a copy of the statement, together with any objection in response and that copy shall be kept on file in his or her Constituency Office, or in his or her residence in the constituency if the member does not maintain a constituency office; and*
 - (b) make a copy of the statement and any objection available for inspection by any person within a reasonable time of receiving the request for inspection.*
- (2) Notwithstanding subsection (1) and 11(1), the clerk may, for the purpose of public access under section 13, have the name of a payee in respect of whom a claim or payment is made or other information that could reasonably be said to identify a payee, suppressed from a statement where, in the opinion of the speaker, the privacy interest of a person who is not a member outweighs the interest of the public in having full and complete disclosure of a member's use of public funds.*

A Member must keep a copy of the semi-annual statement in the Constituency Office (or home) and make a copy available for any person who requests it.

4.5 Speaker Requirements

13. (1) *The clerk shall maintain and file a copy of statements prepared under section 11, and objections in response, in the office of the speaker and shall make them available for inspection by persons within a reasonable time after the making of the request for inspection.*
- (2) The clerk shall post for public access and inspection a copy of each statement and objections, on a website maintained and operated by or on behalf of the office of the speaker.*
- (3) A statement prepared under section 11 need not be maintained by the member or the clerk for public inspection after 5 years following the end of the fiscal year to which the statement relates.*

The statements and any objections will be posted on the House of Assembly website.

These statements must be maintained by the Member for 5 years following the end of the fiscal year to which the statement relates.

5.0 Allowances and Claims

5.1 Categories of Allowances

14. (1) A member may claim from public monies payment or reimbursement against the following categories of allowances:

- (a) office allowances;
- (b) operational resources;
- (c) travel and living allowances; and
- (d) constituency allowances.

(2) Unused portions of an allowance in a fiscal year shall not be transferred to another allowance for use by the member in respect of the type of expenditures contemplated for that other allowance.

14. (3) An allowance provided for in these rules shall include harmonized sales tax as defined in the agreement of the Tax Agreement Act and other taxes imposed on the sale or use of goods and services by the government of the province or of Canada.

Directive - (2007 - 001) - Harmonized Sales Tax

CD 2007 - 001

Pursuant to subparagraphs 20(6)(b)(i) and 20(6)(b)(ii) of the *House of Assembly Accountability, Integrity and Administration Act*, the Commission authorizes the Clerk, for tracking and reporting purposes only, to interpret and restate the maximums for the various Members' allowances as net of HST, rather than inclusive of HST, as currently listed in the Members' Resources and Allowances Rules.

The allowances provided in these rules are inclusive of HST. Amounts will be restated for tracking and recording purposes, to show amounts net of HST (exclusive of HST) as indicated in Directive CD-2007-001 above.

This Directive was required because government's Financial Management System does not have the capacity to charge an HST expenditure against a Members' account while still being accounted for as an HST receivable from the federal government.

Section 5: Allowances and Claims

The allowances provided by these Rules include an HST portion. For the purposes of clarity, the following chart provides the maximum allocation by category or per diem amount, the HST portion and the allocation amount, exclusive of HST.

Category of Expenditure	Maximum Allowable Allocation	HST portion	Allocation, exclusive of HST
Office Accommodations	\$7,000	\$860	\$6,140
Start-up Costs	1,000	120	880
Rental of Short-Term Accommodations	750	90	660
Office Operations	15,000	1,840	13,160
Constituency Allowance	3,000	370	2,630

Per diem meals	50.00	6.14	43.86
Temporary accommodations or secondary residence	125.00	15.35	109.65
Private accommodations	25.00	3.07	21.93

5.2 Disagreement with Speaker Decision

15. (1) *Except in circumstances referred to in sections 24 and 52 of the Act, a member who is dissatisfied with a decision of the clerk made under these rules may appeal that decision to the commission.*
- (2) *A decision of the commission with respect to an appeal under subsection (1) shall be made not more than 45 days after receipt of the member's appeal by the commission, is final and the decision and reasons for that decision shall be recorded in the minutes of the commission.*
- (3) *The commission shall determine and direct the procedure to be followed for dealing with an appeal contemplated under this section.*

If a Member is dissatisfied with a decision of the Clerk made under these Rules, the Member may, with certain exceptions, appeal the decision to the Commission.

The exceptions are:

- (a) Section 24 of the Act, which allows for a ruling to be made by the Speaker on the eligibility of an expense for reimbursement, and
- (b) Section 52 of the Act, which provides for a review by the Speaker of a Member's use of an allowance at the request of a Member or of the Clerk.

5.3 Claims and Purchasing

Forms and Documentation

16. (1) *A member shall claim payment or reimbursement in respect of an allowance in the manner and on the forms prescribed by the clerk or as directed by the commission.*
- (2) *A form prescribed by the commission shall contain a provision whereby the member shall be required personally to certify that the expenses to which the claim relates were actually incurred in compliance with the Act, these rules and applicable directives of the commission.*
- (3) *A member's claim shall not be paid unless, in the opinion of the clerk, there is sufficient documentation supplied verifying that each expenditure of the member was incurred.*
- (4) *A member's claim, except a daily allowance or mileage claim, shall not be paid unless it is supported by the original invoice together with the instrument evidencing payment, such as a credit card voucher or notification, debit card voucher, cancelled cheque or cash receipt.*
- (5) *Where an original document is unavailable, a copy, photocopy, faxed copy or statement itemizing the expenditure may be accepted by the clerk upon provision of an explanation, in writing, for the absence of the original.*

Processing of Claims

17. *The clerk shall ensure that the processing of member claims, including their acceptance, verification and approval for payment under these rules is undertaken in accordance with proper principles of internal control.*

This section further emphasizes the Clerk's responsibilities as chief administrative and financial officer of the House of Assembly Service and the statutory offices (as outlined in section 28 of the Act).

5.3.1 Charges to Members' Accounts

Direct Payment versus Reimbursement of Expenses

A Member is entitled to the provision of resources from the 4 categories of allowances to assist in fulfilling his or her responsibilities as a Member of the House of Assembly.

In accordance with Recommendation 69(5) of the Report of the Review Commission on Constituency Allowances and Related Matters, to the extent reasonably possible, all payments for expenditures in relation to these allowances will be made by direct payment to the suppliers by the Corporate and Members' Services Division rather than by the Member with subsequent claim for reimbursement.

All direct payments made on behalf of a Member and all reimbursement of expenses will be charged to a Member's account based in the appropriate allowance category.

Generally, the method of payment by allowance category will be as follows:

- Office Accommodations - direct payment (an exception may include the creation and erection of a sign)
- Office Operations - direct payment, if possible; otherwise reimbursement
- Operational Resources (furniture and equipment package) - direct payment
- Operational Resources (telecommunications services such as internet, phones) - direct payment
- Travel and Living Allowance - reimbursement
- Constituency Allowance - reimbursement

Direct Payment

- The Corporate and Members' Services Division will arrange for office lease payments, telecommunication services, furniture and equipment, supplies, etc. and pay the supplier directly. If a Member should receive an invoice for any of these items, it should be forwarded to the division for payment.

Reimbursement

- Members will be reimbursed for any office operations expenses where it is not reasonably possible for the Corporate and Members' Services Division to arrange for these purchases or services. Members will also be reimbursed for all expenditures related to the travel and living allowance and constituency allowance.

5.3.2 Purchasing Policies

The *House of Assembly Accountability, Integrity and Administration Act* requires the House of Assembly to follow the *Public Tender Act* except as otherwise directed by the Commission. In those instances, an alternative and more appropriate policy must be in place.

All direct payments for office leases, furniture and equipment and telecommunications services by the Corporate Members' Services Division will be made in accordance with the *Public Tender Act*.

When possible, the acquisition of a good or service as allowed under the block allocation for "Office Operations, Supplies and Communications," should be arranged by the Corporate and Members' Services Division. If this is not practical in the circumstance, the Member may initiate the purchase or service but *the Public Tender Act* must be followed.

The next section (5.3.3) of this manual provides additional information and guidance for the purchase or reimbursement of the specific items of expenditure that are allowed under section 24 (Office operations, supplies and communications allowance) of the Rules.

The following purchasing processes should be followed:

- A requisition form should be completed and forwarded to the Corporate and Members' Services Division.
- The purchasing clerk will purchase the good or arrange for the service (in accordance with the *Public Tender Act*) and contact the Member when goods are received or service has been arranged. Members are encouraged to request office supplies in bulk to ensure that supplies are available when required.
- It is recognized that there are situations where it will not be practical for a Member to forward a request to the Corporate and Members' Services Division; for example, where there is an immediate requirement for a printer cartridge. In those circumstances, the Member may make the purchase directly from a local supplier and submit for reimbursement. However, the *Public Tender Act* must be followed.
 - For the purchase of any good or service, the *Public Tender Act* requires the purchaser to obtain quotes from at least 3 legitimate dealers or suppliers. If 3 quotes cannot be obtained, the purchaser must establish for the circumstances a fair and reasonable price for the good or service through direct quotation from the supplier substantiated by reference to trade catalogues or price lists if available.
- A copy of the requisition form and record of quotes is included under section 5.4 of this manual.

Section 5: Allowances and Claims

5.3.3 Purchase of Items under the Operations, Supplies, Communications Allowance

Advertising

Although the Government Purchasing Agency (GPA) is responsible for the coordination of all advertising for government departments, the criteria and policies developed do not include consideration of the types, frequency, local coverage, etc. of advertising required by Members. The Clerk will consult with GPA and the Commission to develop policies which are more appropriate to Members' needs. In the interim, a Member may arrange his or her own advertising (within the guidelines as outlined in section 6.6).

Printing

Government purchasing policies require all requests for printing services to be initially forwarded to the Queen's Printer. If the Queen's Printer is unable to provide the service as required, they will provide written approval authorizing the service to be procured from outside sources. Therefore, a Member should complete a requisition form for all required printing services and forward it to the Corporate and Members' Services Division.

Postage

A Member may avail of the government's mailroom services located in the basement of the Confederation Building for bulk mailings such as householders. The mailroom staff will track the volumes and the cost of the service will be charged to the Member's allocation. If a Member does not avail of the government mailroom service, he or she may arrange his or her own mailings and submit for reimbursement.

General office supplies, cards, photocopies, answering services

Wherever possible, a Member should complete a requisition form and forward to the Corporate and Members' Services Division. In circumstance where this is not practical, the processes as outlined on the previous page should be followed to ensure the *Public Tender Act* is followed.

Courier services

A Member must avail of government's standing offer agreement with Millennium Express to provide messenger services in St. John's and Mount Pearl. For messenger services outside St. John's and Mount Pearl, the Member should follow the *Public Tender Act* as outlined on the previous page.

Newspapers

A Member may pay for subscriptions directly and submit for reimbursement.

Database maintenance

A Member may contact Kevin Collins, Manager of Operations and Purchasing to arrange for required maintenance.

Staff Professional Development

A Member may pay conference and training course fees directly and submit for reimbursement.

5.3.4 Members' Claims

5.3.4.1 General Principles

To claim reimbursement for any expenses under the Members' allowances, a **Member Expense Claim** form must be completed.

The ultimate responsibility for the propriety of an expense payment remains with the Member. While the Corporate and Members' Services Division staff are available to answer any questions a Member may have in this regard, a good general guideline that may assist a Member in deciding if a payment is appropriate is to ask: "Can this expense be justified to my constituents?"

The procedures required for payment of claims serve not only to ensure accountability of public funds, but also to protect all Members from any public perception of improper use of these funds.

The Member must sign all forms and provide the appropriate supporting documentation before any payment can be processed. The Member must certify that expenses claimed have been incurred in compliance with the *House of Assembly Accountability, Integrity and Administration Act*, the Rules established under that Act and Directives of the House of Assembly Management Commission.

Where an activity such as travel relates to both constituency business and business conducted in another capacity such as Minister, Parliamentary Secretary or Parliamentary Assistant, the claim must be prorated and only the proportion of expenses spent on constituency business is eligible for reimbursement by the House of Assembly under these Rules.

All expenses must be submitted within 60 days after the date the expenditure was incurred or the expenses will not be reimbursed.

The Corporate and Members' Services Division has established a target turnaround time of 12 days from the date of receipt of a claim to forwarding to the Office of the Comptroller General for payment. If your payment is delayed, please contact Marlene Lambe, Chief Financial Officer.

Any expenditures incurred by the Member that exceed the maximum allowed for that category of expenditure in a fiscal year, will not be reimbursed by the House of Assembly.

Expense claims related to the period up to the 31st March of each fiscal year must be received by the 15th April to allow processing time before the Financial Management System cut-off at 4:30 PM on the 30th of April. Claims received after April 15th cannot be processed and the expenditures will not be reimbursed.

Section 5: Allowances and Claims

5.3.4.2 Procedures and Documentation

Members must attach all original invoices or receipts plus a proof of payment to the **Member Expense Claim** form in order for payment to be made.

The claim form has been divided into expense sub-categories to facilitate completion of the form. A copy of this form and instructions for completion are included in section 5.4.

Supporting documentation that must accompany each claim:

- Meals - original restaurant bill and proof of payment
- Temporary accommodations - original receipt/invoice and proof of payment
- Travel by private vehicle - Private Vehicle Usage Report
- Travel by other means - airline, ferry, bus, or other approved mode of travel - original receipt or invoice and proof of payment
- Travel by Rental vehicle
 - If the actual cost of the vehicle rental is less than the cost to travel by aircraft - original rental receipt/invoice and proof of payment
 - If the actual cost of the vehicle rental is greater than the cost to travel by aircraft - a copy of a quote for travel by aircraft showing total cost to travel by aircraft plus the actual vehicle rental receipts. The Member will be reimbursed for the lower of the two amounts
- All other expenses - original invoice/receipt and proof of payment

Note: No receipts are required for per diems for meals, private accommodations and secondary residence.

Airline tickets, vehicle rentals, etc. – booked online

If a Member contracts and pays for any service such as airline tickets or vehicle rentals using the supplier's online facility, the documentation which must accompany the claim must include the receipt that is provided online (which will normally indicate a reference number), as well as the method of payment and confirmation that the payment has been made.

Section 5: Allowances and Claims

If Original documentation is not available

If a Member cannot obtain or locate the original documentation, a Member should forward either:

- a photocopy or faxed copy; or
- a statement itemizing the expenditure

In addition, the Member must provide an explanation, in writing, for the absence of the original documentation. The explanation should also attest to the fact that the particular item of expense has not been previously claimed.

Proof of Payment

Proof of payment may include:

1. credit card voucher or notification;
2. debit card voucher;
3. cancelled cheque or cash receipt; or
4. a "print out" of online verification of payment for certain services as indicated above.

Private Vehicle Usage

If the Member is claiming for private vehicle usage, a ***Private Vehicle Usage Report*** must be attached to the Member Expense Claim form.

A copy of the form is included in section 5.4 of this manual.

CONTACT PERSONS:

Member Expense claims	Jocelyn Ledwell-Norman	729-1479
Purchasing	Dianne Batten	729-7211
Constituency Offices set up	Kevin Collins	729-6722
Committee Meeting claims	Marian Burry	729-0202
For other questions or issues contact:		
Manager of Accounting Services	Mark Noseworthy	729-0769
Manager of Financial Planning/Reporting	Scott Jones	729-0201
Chief Financial Officer	Marlene Lambe	729-2923

5.4 Forms

1. *Member Expense Claim Form and Instructions* 5-12

2. *Private Vehicle Usage Report* 5-21

3. *Affidavit of Permanent Residence* 5-22

4. *Affidavit of Secondary Residence* 5-23

5. *Affidavit Respecting Travel on Unpaved Roads* 5-25

6. *Requisition Form* 5-26

7. *Record of Quotations* 5-27

8. *Lease Proposal Form* 5-28

9. *General Expense Claim Form and Instructions* 5-29

Section 5: Allowances and Claims

1. Member Expense Claim Form and Instructions



**House of Assembly
Member Expense Claim**

Member: _____

Period of Expense _____

	Expenditure Purpose/Category	Amount (excluding HST)	HST (if applicable)	Total Amount
Line 1:	Office Accommodations			
Line 2:	Rental of Short Term Accommodations			
Line 3:	Office Start-up Costs			
Line 4:	Operations & Office Supplies			
Line 5:	Communications			
Line 6:	Furniture & Equipment			
Line 7:	Services			
Line 8:	Travel & Living- House in Session-Meals			
Line 9:	Travel & Living-House in Session-Accommodations			
Line 10:	Travel & Living- House in Session-Travel			
Line 11:	Travel & Living- House Not in Session-Meals			
Line 12:	Travel & Living- House Not in Session-Accommodations			
Line 13:	Travel & Living- House Not in Session-Travel			
Line 14:	Intra Constituency & Extra Constituency Travel - Meals			
Line 15:	Intra Constituency & Extra Constituency Travel - Accom			
Line 16:	Intra Constituency & Extra Constituency Travel - Travel			
Line 17:	Constituency Allowance			
Column Totals				

I certify that the expenditures submitted on this claim are in compliance with the *House of Assembly Accountability, Integrity and Administration Act*, the rules established under that *Act* and directives of the House of Assembly Management Commission.

Member's Signature: _____

Date: _____

For Accounting Use Only - Accounting Distribution

CO	RC	ACAT	ACT	OBJ	DTC	FUSE	Category	Amount
01-	9950-	701-	9901-	4060-	000000-	0000	HST	
01-	0206-	130-	0410-	0917		0000	Office Accommodations	
01-	0206-	130-	0410-	09A7		0000	Short Term Office Rentals	
01-	0206-	130-	0410-	09B7		0000	Office Start-up Costs	
01-	0206-	130-	0410-	09D7		0000	Operations-Office Supplies	
01-	0206-	130-	0410-	09E7		0000	Operations- Communications	
01-	0206-	130-	0410-	0920		0000	Resources - Services	
01-	0206-	130-	0410-	09A0		0000	Resources - Furniture & Equipment	
01-	0206-	130-	0410-	0922		0000	House in Session-Meals	
01-	0206-	130-	0410-	09A2		0000	House in Session-Accom	
01-	0206-	130-	0410-	09B2		0000	House in Session-Travel	
01-	0206-	130-	0410-	09C2		0000	In Session-MHA4-Meals	
01-	0206-	130-	0410-	09D2		0000	In Session-MHA4-Accommodations	
01-	0206-	130-	0410-	09E2		0000	In Session-MHA4-Travel	
01-	0206-	130-	0410-	09F2		0000	House not in Session-Meals	
01-	0206-	130-	0410-	09G2		0000	House not in Session-Accommodations	
01-	0206-	130-	0410-	09H2		0000	House not in Session-Travel	
01-	0206-	130-	0410-	09J2		0000	Not in Session-MHA4-Meals	
01-	0206-	130-	0410-	09K2		0000	Not in Session-MHA4-Accommodations	
01-	0206-	130-	0410-	09L2		0000	Not in Session-MHA4-Travel	
01-	0206-	130-	0410-	0924		0000	Intra & Extra Constituency - Meals	
01-	0206-	130-	0410-	09A4		0000	Intra & Extra Constituency - Accom.	
01-	0206-	130-	0410-	09B4		0000	Intra & Extra Constituency - Travel	
01-	0206-	130-	0410-	0926		0000	Constituency Allowance	
Total Payment Amount								

Verified that this claim is arithmetically correct and in accordance with Section 30(1) of the *Financial Administration Act* :

Clerk: _____ Date _____

Approved and authorized for payment by: _____

Clerk of the House of Assembly (or designate)

Date _____

Section 5: Allowances and Claims



House of Assembly Member Expense Claim

Member: _____

Period of Expense: _____

Office Accommodations				
Date	Description of Expenditure	Amount (Excluding HST)	HST (if Applicable)	Total Amount
Line 1: Office Accommodations Total				

Rental of Short Term Accommodations				
Date	Description of Expenditure	Amount (Excluding HST)	HST (if Applicable)	Total Amount
Line 2: Rental of Short Term Accommodations Total				

Office Start-up Costs				
Date	Description of Expenditure	Amount (Excluding HST)	HST (if Applicable)	Total Amount
Line 3: Office Start-up Costs Total				

Section 5: Allowances and Claims

Operations & Office Supplies				
Date	Description of Expenditure	Amount (Excluding HST)	HST (if Applicable)	Total Amount
Line 4: Operations & Office Supplies Total				

Communications				
Date	Description of Expenditure	Amount (Excluding HST)	HST (if Applicable)	Total Amount
Line 5: Communications Total				

Furniture & Equipment				
Date	Description of Expenditure	Amount (Excluding HST)	HST (if Applicable)	Total Amount
Line 6: Furniture & Equipment Total				

Section 5: Allowances and Claims

Services				
Date	Description of Expenditure	Amount (Excluding HST)	HST (if Applicable)	Total Amount
Line 7: Services Total				

Travel and Living-House in Session - Meals				
Date	Description of Expenditure	Amount (Excluding HST)	HST (if Applicable)	Total Amount
Line 8: T&L-House in Session - Meals Total				

Travel and Living-House in Session - Accommodations				
Date	Description of Expenditure	Amount (Excluding HST)	HST (if Applicable)	Total Amount
Line 9: T&L-House in Session - Accommodations Total				

Section 5: Allowances and Claims

Travel and Living-House in Session - Travel				
Date	Description of Expenditure	Amount (Excluding HST)	HST (if Applicable)	Total Amount
Line 10: T&L-House in Session - Travel Total				

Travel and Living-House Not in Session - Meals				
Date	Description of Expenditure	Amount (Excluding HST)	HST (if Applicable)	Total Amount
Line 11: T&L-House Not in Session - Meals Total				

Travel and Living-House Not in Session - Accommodations				
Date	Description of Expenditure	Amount (Excluding HST)	HST (if Applicable)	Total Amount
Line 12: T&L-House Not in Session - Accommodations Total				

Section 5: Allowances and Claims

Travel and Living-House Not in Session - Travel				
Date	Description of Expenditure	Amount (Excluding HST)	HST (if Applicable)	Total Amount
Line 13: T&L-House Not in Session - Travel Total				

Intra Constituency and Extra Constituency Travel - Meals				
Date	Description of Expenditure	Amount (Excluding HST)	HST (if Applicable)	Total Amount
Line 14: Intra & Extra Constituency Travel-Meals Total				

Intra Constituency and Extra Constituency Travel - Accommodations				
Date	Description of Expenditure	Amount (Excluding HST)	HST (if Applicable)	Total Amount
Line 15: Intra & Extra Constituency Travel-Accomm Total				

Section 5: Allowances and Claims

Intra Constituency and Extra Constituency Travel - Travel				
Date	Description of Expenditure	Amount (Excluding HST)	HST (if Applicable)	Total Amount
Line 16: Intra & Extra Constituency Travel-Travel Total				

Constituency Allowance				
Date	Description of Expenditure	Amount (Excluding HST)	HST (if Applicable)	Total Amount
Line 17: Constituency Allowance Total				

Section 5: Allowances and Claims

Completion of First Page of Claim

Top of Form

Complete information as noted on the form.

General

All expenditures claimed should be for activities consistent with the responsibilities of a Member of the House of Assembly and should be submitted in accordance with the *House of Assembly Accountability, Integrity, and Administration Act*, the rules established under that *Act* and directives of the House of Assembly Management Commission.

Expenditure Purpose/Category

The eligible expenditures have been separated by expenditure purpose/category. Each of these categories has a specific section on subsequent pages in which the details of the respective expenditure are to be provided by the Member.

Amount (excluding HST)

Record the expenditure amount, before HST, for each expenditure purpose.

HST (if applicable)

Record the amount of HST. HST must be imputed for per diem meals, accommodations and mileage. To calculate the amount excluding HST - divide the expenditure amount by 1.14 and then multiply that by 14%. For example: \$50 divided by 1.14 = \$43.86. The \$43.86 is the amount to record in the Amount (excluding HST) column. The HST portion is $\$43.86 \times 14\% = \6.14 .

Total Amount

The sum of the 2 columns; Amount (excluding HST)) plus HST (if applicable); for the particular line.

Column Totals

All columns must be added and totals entered.

Final Completion

All Members must sign and date the certification in the space provided.

All claim forms must be verified; accounting distribution completed and signed in space provided.

All claim forms must be signed and dated by the Clerk of the House of Assembly or his designate signifying approval and certification as to compliance with policy.

Completion of Sections Specific to Expenditure Purpose/Category

General Information

Details of each expenditure should be provided in the sections specific to each expenditure purpose/category, including:

- the date of the expenditure,
- to whom the expenditure was made,
- the period to which the expenditure relates, and
- the amount of each expenditure.

Meals

Record the total per diem allowance of meals for each day. When the amount claimed is for less than a full calendar day, enter in the particular column which meals are claimed for the day.

Accommodations

Record the cost of rooms only, except when the type of accommodation is Board and Lodging. Identify the type of accommodation (e.g. hotel room, private accommodation, board and lodging, etc.). Indicate the number of nights spent in each accommodation claimed.

Section 5: Allowances and Claims

Travel

Identify the mode of travel (private vehicle, car rental, airplane, etc.) Identify travel from the District to St. John's and travel from St. John's to the District. Indicate the number of each such trip included on the claim. A claim for private vehicle usage must include a completed Private Vehicle Usage form. The automobile reimbursement rate for private vehicle usage is the basic government rate and is adjusted periodically. For the most current rate, refer to www.exec.gov.nl.ca/hrpm/travel.html.

Supporting Documentation

Subsection 16(4) of the Rules requires all claims, except daily allowances and mileage amounts, to be supported by the original invoice plus proof of payment. Under subsection 16(5), there is a provision if the original documentation is not available.

Refer to section 5.3 of the Manual for detailed documentation requirements.

Receipts should not be altered but any amounts not intended to be reimbursed or allowed under the Rules should be shown as deductions by the claimant on the receipt.

Small receipts must be fully taped on all sides to an 8.5 x 11 sheet of blank paper. Only one staple in the upper left hand corner should be used in attaching supporting documents. This is required to facilitate the scanning of all claims and documents by the Office of the Comptroller General.

Section 5: Allowances and Claims

2. Private Vehicle Usage Report



HOUSE OF ASSEMBLY
NEWFOUNDLAND AND LABRADOR

Private Vehicle Usage Report (To be attached to Member Expense Claim)

Member Name: _____

Date	Details of Travel	Distance Travelled
Total Distance Travelled		

Claim Amount: Total distance travelled _____ kilometres X _____ ¢ per km = \$ _____

Total distance travelled _____ kilometres X _____ ¢ per km = \$ _____

Total \$ _____

I certify that the private vehicle usage on this claim is in compliance with the *House of Assembly, Accountability, Integrity and Administration Act*, the rules established under that Act and directives of the House of Assembly Management Commission.

Member of the House of Assembly

3. Affidavit of Permanent Residence



HOUSE OF ASSEMBLY
NEWFOUNDLAND AND LABRADOR

Affidavit of Permanent Residence

In accordance with the requirement of paragraph 28(d) of the Members' Resources and Allowances Rules, I make the following affidavit to the Speaker of the House of Assembly of Newfoundland and Labrador.

I, _____, a Member of the House of Assembly for the Electoral District of _____, do solemnly swear (or affirm) that my permanent residence is in the community of _____ in the Electoral District of _____ in the Province of Newfoundland and Labrador.

Sworn to (or affirmed) at
_____ in the
Province of Newfoundland and
Labrador this _____ day of
_____, 20____.

Witness

Member of the House of Assembly

4. Affidavit of Secondary Residence



HOUSE OF ASSEMBLY
NEWFOUNDLAND AND LABRADOR

Affidavit of Secondary Residence

In accordance with the definitions and requirements of 28(f), 29(3), 29(4), 41(2), 41(3) and 41(4) of the Members' Resources and Allowances Rules, I make the following affidavit to the Speaker of the House of Assembly of Newfoundland and Labrador.

I, _____, a Member of the House of Assembly for the Electoral District of _____ do solemnly swear (or affirm) that I maintain a secondary residence, as defined in paragraph 28(f) of the Members' Resources and Allowances Rules, in the community of _____. Pursuant to Subsections 41(2) and 41(3) of the Members' Resources and Allowances Rules, I estimate the allowable annual costs of maintaining this secondary residence during the fiscal year 1 April 20 ____ to 31 March 20 ____ is as follows:

- (a) rent and associated charges _____
- (b) condominium common area expenses _____
- (c) mortgage interest _____
- (d) utilities _____
- (e) telephone and internet services _____
- (f) furniture rental _____
- (g) parking charges _____
- (h) other (as directed by the Commission) _____

Section 5: Allowances and Claims

A. Total-Estimated annual allowable expenses: _____

B. Prorated daily expenses (A ÷ by 365 [or 366]): _____

I understand that the maximum daily expense claimable for secondary residence accommodation is \$125, inclusive of HST, and that, pursuant to Subsection 41(4) of the Rules, the Clerk of the House of Assembly may require me to provide documentation in support of the above estimates before approving claims for reimbursement.

Sworn to (or affirmed) at

_____ in the

Province of Newfoundland and

Labrador this _____ day of

_____, 20____.

Witness

Member of the House of Assembly

5. Affidavit Respecting Travel on Unpaved Roads



HOUSE OF ASSEMBLY
NEWFOUNDLAND AND LABRADOR

Affidavit Respecting Travel on Unpaved Roads

In accordance with Subsection 40(6) of the Members' Resources and Allowances Rules, I make the following affidavit to the Speaker of the House of Assembly of Newfoundland and Labrador.

I, _____, a Member of the House of Assembly for the Electoral District of _____, do solemnly swear (or affirm) that I have traveled in my private vehicle in excess of 5,000 kilometres on unpaved roads on constituency business during the fiscal year 1 April 20 ____ to 31 March 20 ____.

Sworn to (or affirmed) at
_____ in the
Province of Newfoundland and
Labrador this _____ day of
_____, 20____.

Witness

Member of the House of Assembly

Section 5: Allowances and Claims

7. Record of Quotations



HOUSE OF ASSEMBLY
NEWFOUNDLAND AND LABRADOR

Record of Quotations								
Requisition Number:				Purchase Order Number:				
	Firm name		Telephone #	Contact Name (Please provide)				
Firm #1								
Firm #2								
Firm #3								
ITEM	BRIEF DESCRIPTION	QTY.	Firm # 1 Unit Price	Delivery Date	Firm # 2 Unit Price	Delivery Date	Firm # 3 Unit Price	Delivery Date
		TOTAL						

ACCOUNTING DISTRIBUTION:

ESTIMATED COST		RC	ACAT	ACTIVITY	LOBJ	DTC
	01					
	01					
	01					

SIGNATURE OF PERSON OBTAINING QUOTES: _____

PHONE NUMBER OF PREPARER: _____

DATE: _____

Section 5: Allowances and Claims

8. Lease Proposal Form



HOUSE OF ASSEMBLY
NEWFOUNDLAND AND LABRADOR

Lease Proposal Form

1. I, _____, hereby offer to lease _____ square feet of space, completed as per the relevant Proposal Document, for a rental payment of \$ _____ per annum (exclusive of HST), **which includes payment for the use of any Common Area(s), if applicable.** I acknowledge that if I have to provide any space in excess of the total proposed space requirement in order to satisfy individual space requirements of the proposal or to reduce structural renovations that such space will be fitted up in a manner consistent with the proposal and provided at no additional cost to the House.

2. District: _____
Member: _____

3. Location of **existing** or **proposed** building (ie. Civic No., Street Name, & Town or City, etc.): _____
Space Layout Attached _____ (Please check)

5. Details of Renovations Attached _____ (Please check)

6. Contact Information on owner or authorized representative:

Name: _____ Telephone Number: _____

Address: _____ Fax Number: _____

In making this offer, I confirm and acknowledge that I have read the Proposal Document in its entirety and am familiar with the contents thereof. I acknowledge that my offer to lease is to remain open and irrevocable for a period of sixty (60) days from the date of signing.

Date (Sign) _____
Signature of Owner or Authorized Representative

Date (Sign) _____
Witness

Section 5: Allowances and Claims

9. General Expense Claim Form and Instructions



HOUSE OF ASSEMBLY
NEWFOUNDLAND AND LABRADOR

General Expense Claim

Member: _____

Period of Expense _____

Purpose of Travel:								
Date DD-MMM-YY	Particulars	Amounts (excluding HST)					HST portion	
		Per Diem Meals	Per Diem Accomodations	Travel	Other expenses			
Column Totals								
<p>I certify that the expenditures submitted on this claim are in compliance with the <i>House of Assembly Accountability, Integrity and Administration Act</i>, the rules established under that <i>Act</i> and directives of the House of Assembly Management Commission.</p> <p>Member's Signature: _____ Date: _____</p>								
For Accounting Use Only - Accounting Distribution								
CO	RC	ACAT	ACT	OBJ	DTC	FUSE	Category	Amount
01-	9950-	701-	9901-	4060-	000000-	0000	HST	
01-								
01-								
01-								
01-								
01-								
01-								
Total Payment Amount								
<p>Verified that this claim is arithmetically correct and in accordance with Section 30(1) of the <i>Financial Administration Act</i> :</p> <p>Clerk: _____ Date _____</p> <p>Approved and authorized for payment by: _____ Date _____</p> <p style="text-align: center; font-size: small;">Clerk of the House of Assembly (or designate)</p>								

Section 5: Allowances and Claims

Top of Form

Complete information as noted on the form.

Purpose of Travel

Identify the purpose and nature of the travel claimed. This form can be used to submit a claim for expenditures for purposes such as committee-related travel, committee meetings, orientation sessions, and other such activities for which the Member Expense Claim is not applicable.

Particulars

Describe briefly the purpose and nature of the expenditure being claimed, including the name of the committee. (if applicable)

Meals

Record the per diem allowance of meals for each day, excluding the HST portion. When the amount claimed is for less than a full calendar day, enter in the particular column which meals are claimed for the day.

Accommodations

Record the cost, excluding the HST portion, of rooms only, except when the type of accommodation is Board and Lodging. In the particulars column, identify the type of accommodation (e.g. hotel room, private accommodation, board and lodging, etc.).

Travel

Identify the mode of travel (private vehicle, car rental, airplane, etc.) Identify travel from the District to St. John's and travel from St. John's to the District. Indicate the number of each such trip included on the claim. A claim for private vehicle usage must include a completed Private Vehicle Usage form. The automobile reimbursement rate for private vehicle usage is the basic government rate and is adjusted periodically. For the most current rate, refer to www.exec.gov.nl.ca/hrpm/travel.html.

Other

Show in this column any other allowable travel expenses such as telephone calls. Indicate in the particulars column the type of expenses claimed.

HST Portion

Record the amount of HST. HST must be imputed for per diem meals, accommodations and mileage. To calculate the HST – divide the expenditure amount by 1.14 and then multiply that by 14%. For example: \$50 divided by 1.14 = \$43.86. The \$43.86 is the amount to record in the Amount (excluding HST) column. The HST portion is \$43.86 x 14% = \$6.14.

Column Totals

All columns must be added and totals entered.

Final Completion

All Members must sign and date the certification in the space provided.

All claim forms must be verified, accounting distribution completed and signed in space provided.

All claim forms must be signed and dated by the Clerk of the House of Assembly or his designate signifying approval and certification as to compliance with policy.

Section 5: Allowances and Claims

Supporting Documentation

Subsection 16(4) of the Rules requires all claims, except daily allowances and mileage amounts, to be supported by the original invoice plus proof of payment. Under subsection 16(5), there is a provision if the original documentation is not available.

Refer to section 5.3 of the Manual for detailed documentation requirements.

Receipts should not be altered but any amounts not intended to be reimbursed or allowed under the Rules should be shown as deductions by the claimant on the receipt.

Small receipts must be fully taped on all sides to an 8.5 x 11 sheet of blank paper. Only one staple in the upper left hand corner should be used in attaching supporting documents. This is required to facilitate the scanning of all claims and documentation by the Office of the Comptroller General.

6.0 Office Allowance

Under this category of allowance, a Member is entitled to an annual Constituency Office accommodations allowance of \$7,000 (\$6,140, net of HST) and an office operations, supplies and communications allowance of \$15,000 (\$13,160, net of HST).

A new Member is also entitled to a \$1,000 (\$880, net of HST) amount for start-up costs associated with setting up the Constituency Office.

In addition, a Member is entitled to an annual allowance of \$750 (\$660, net of HST) to cover the costs of short-term accommodation rentals to facilitate travel throughout the district to meet with residents on constituency issues.

The sections of the Rules that relate to this allowance are:

Section 18	Eligibility for office expenses
Sections 19 to 23	Office accommodations
Section 24	Office operations, supplies and communications

Office Accommodations

- A Member may set up and operate a Constituency Office in his or her district, subject to the restrictions, conditions and controls as outlined in this section of the Rules. In the alternative, a Member may rent short-term accommodations in the district to facilitate meetings with constituents from time to time or operate an office from his or her residence.

Office Operations, Supplies and Communications

- The operational costs associated with operating a Constituency Office are covered under this allowance. These costs include general office supplies, advertising, printing, greeting cards, etc.

6.1 Eligibility for Office Expenses

18. (1) *A member may seek reimbursement or have payment made on his or her behalf, for the provision of office expenses in order to conduct his or her constituency business.*
- (2) *The maximum allowance available to a member for each category of office expenses is as follows*
- (a) Constituency Office accommodation allowance, \$7000; and*
 - (b) office operations and supplies allowance, \$15,000.*
- (3) *Notwithstanding the limits imposed under paragraph (2)(a), the speaker may, on application in writing by a member, authorize that member to exceed his or her maximum Constituency Office accommodation allowance where the speaker determines that suitable accommodation cannot be obtained at a cost equal to or less than the allowed maximum.*
- (4) *Where the speaker makes a decision under subsection (3), to authorize an increased allowance, he or she shall, in writing, report that decision to the next meeting of the commission together with the reasons for that decision and that information shall be recorded in the minutes of the commission meeting.*

Office Accommodations

The maximum annual allowance available to each Member for the office accommodations is \$7,000 (\$6,140, net of HST).

In certain circumstance, the Speaker may authorize an amount in excess of this limit. A Member must apply in writing to the Speaker requesting the increase and give valid justification to exceed the allowable maximum, including written quotes from landlords which exceed the \$7,000 maximum. The Speaker may authorize an increase where an appropriate office location cannot be found for the prescribed amount. The Speaker reserves the right to research rental rates for that area prior to agreeing to the higher rental rate. The Speaker will report all such incidences to the Commission at the next meeting.

This section outlines the available options for the location of a Constituency Office and the processes to follow when organizing and operating an office.

A Member who represents a district that is wholly outside the Capital Region may also rent short-term accommodations to a maximum amount of \$750 annually to facilitate meetings with constituents throughout the district.

The Member's Constituency Assistant will work from the Member's Constituency Office. If that office is outside the Confederation Building, the Member may also avail of shared secretarial support while at the "secondary" office in the Confederation Building.

6.2 Eligibility for Constituency Office Accommodation

19. (1) *The Constituency Office accommodation allowance referred to in paragraph 18(2)(a) includes accommodation expenses related to the rental of permanent or temporary offices such as*
- (a) rent;*
 - (b) utilities;*
 - (c) taxes;*
 - (d) insurance;*
 - (e) security;*
 - (f) janitorial services; and*
 - (g) signage identifying the office as the member's Constituency Office without any reference to a political party.*
- (2) *A member, who is unable to establish and operate an office to adequately serve his or her constituents, may claim expenses for the rental of meeting rooms.*
- (3) *A member shall not use a Constituency Office to further partisan political activities.*

This section details the expenses that may be claimed under the accommodation allowance and notes that a Member may not use a Constituency Office for partisan political activity.

If a Member is unable to establish a permanent Constituency Office in one location that will adequately serve the constituents, the Member may instead avail of the short term rental of meeting rooms throughout the district. The annual allocation of \$7,000 allowed for office accommodations would apply in these circumstances. The expenses for these rentals should be included on the **Member Expense Claim** form and submitted for reimbursement.

Section 6: Office Allowance

19. *(4) Following a general election or by-election, a new member who was not a member in the preceding session of the House of Assembly is, in addition to the Constituency Office accommodation allowance, entitled to claim amounts associated with the start-up of the member's office in an amount of not more than \$1000 to defray expenses as may be specified by the commission.*

Directive - (2007 - 008) - Start-up Allowance

CD 2007 - 008

Pursuant to subsection 19(4) of the Members' Resources and Allowances Rules, a member may claim against the \$1,000 start up amount for reimbursement to cover initial start-up expenses related to establishing a Constituency Office for the following expenses:

- Office supplies, such as paper trays, 3 hole punch, staplers, pencil holders, scissors, hanging folders, kettle, coffee maker; and
- Office Equipment, such as computer monitor stand, non-glare screen, blackberry or cell phone accessories; and
- Any other non-consumable items directly related to establishing a Constituency Office.

Following an election or by-election, **new** Members are entitled to claim amounts associated with the start-up of the Constituency Office up to a maximum of \$1,000 (\$880, net of HST).

This applies beginning with the 46th General Assembly; that is, only Members elected for the first time on or after October 9, 2007 are eligible for this allowance.

The expenses that are allowed under this allowance are detailed in Directive 2007-008.

6.3 Nature of Office and Location

20. (1) Office accommodation to which a member is entitled shall consist of space to provide:
- (a) a private office for the member;
 - (b) space for a Constituency Assistant; and
 - (c) a waiting area for that office.
- (2) A member shall be provided with office accommodation in the Confederation Building complex in St. John's in a location that may be determined by the speaker.
- (3) The quality and size of office accommodation in the Confederation Building complex for a member of one political party shall not be materially different than that for a member of another political party.
- (4) A member who chooses to have his or her Constituency Assistant work in the Confederation Building complex shall, with respect to the assignment of office accommodation in that complex, be given priority over a member who chooses to have his or her Constituency Assistant work in an office in the member's constituency.
- (5) In addition to choosing office accommodation in the Confederation Building complex, a member may choose office accommodation in one of the following ways:
- (a) office space in the member's constituency;
 - (b) in lieu of an office in a specific location, the rental of short-term accommodation in one or more locations in the member's constituency from time to time to facilitate the travel of the member throughout the district to meet with residents on constituency issues;
 - (c) subject to the limitations in subsection 21(2), operate an office in his or her residence in, or within commuting distance of the constituency; or
 - (d) if he or she is a minister, a parliamentary assistant or a special assistant to a minister, operate a Constituency Office in the building or department where his or her ministerial or assistant's office is located.
- (6) Notwithstanding paragraph (5)(a) or (d), where a member chooses office accommodation in the member's constituency in a Crown owned building or in a building where his or her ministerial or assistant's office is located, the member may not access the Constituency Office accommodation allowance.
- (7) A member who represents a constituency that is wholly outside the capital region may rent short-term accommodations in one or more locations in the member's constituency from time to time, up to a maximum of \$750 annually to facilitate the travel of the member throughout the district to meet with residents on constituency issues.

Section 6: Office Allowance

(8) Where choosing office accommodation in a member's constituency under paragraph (5)(a), a member shall:

(a) not make rental or lease commitments without prior approval of the speaker;

(b) where accommodation, suitable in size, quality and location to the member, can be obtained in a Crown-owned building in the constituency, choose that space;

(c) where accommodation referred to in paragraph (b) cannot be obtained, the member shall

(i) decide in which community in the constituency his or her office will be located

(ii) where possible, propose 3 possible commercial spaces, ranked in order of preference with supporting reasons, to the clerk,

(iii) where the member cannot propose 3 possible commercial spaces, he or she must provide the reasons, in writing, to the clerk,

(iv) include with the proposal documentation from the landlord indicating the total monthly cost, including utilities, taxes, insurance, security and janitorial services,

(v) stipulate that the lease will be on terms acceptable to the Office of the Speaker and in particular shall stipulate that the lease shall be terminable at or before the expected date for the next general election.

(9) Following consultation with the member, the speaker shall approve one of the proposed choices provided in subsection (5) provided it is within the limits stipulated in this section and section 19.

(10) Where the clerk approves a member's request for a Constituency Office rental, a contract shall be prepared between "Her Majesty the Queen in Right of the Province of the Newfoundland and Labrador, herein represented by the Honourable the Speaker of the House of Assembly" and the owner of the office space and the cost of that preparation shall, unless stipulated otherwise by the speaker in exceptional cases, be paid directly by the House of Assembly in accordance with the approved office lease.

(11) Notwithstanding section 22, following a by-election, a new member who was not a member in the preceding session of the House shall utilize the previous members' Constituency Office until the next general election unless that office was in the former member's home or a community in which the new member does not reside.

This section defines the nature of a Member's Constituency Office and the process to follow when setting up an office.

6.3.1 Constituency Office

Location of Constituency Office – Options:

1. Constituency Office in the Confederation Building.
2. Constituency Office in a Government owned Building (not the Confederation Building) within the District.
3. Constituency Office in the District in leased space from outside party.
4. Constituency Office in a Member's residence.
5. Constituency Office in the building or department where a Minister, Parliamentary Secretary or Assistant is located.
6. In lieu of a Constituency Office in a specific location, short-term rental of meeting rooms in one or more locations in the District (up to a maximum of \$7,000 (\$6,140, net of HST) per fiscal year.

If a Member's Constituency Office is located in the Confederation Building:

- The Member will be given priority in the assignment of office accommodation in the complex over a Member who has his or her Constituency Office located outside the Confederation Building
- Space will also be provided in the Confederation Building for the Member's Constituency Assistant

If the Member's Constituency Office is located in the district, his or her residence, or in a government department:

- The Member may also have an office space in the Confederation Building (but given lower priority than a Member who has his or her Constituency Office in the Confederation Building)
- The Member's Constituency Assistant will be located in the Constituency Office but shared secretarial support will be provided to the Member for the "secondary" office in the Confederation Building

In addition, a Member who represents a constituency that is wholly outside the Capital Region may rent short-term accommodation to a maximum of \$750 (\$660, net of HST) annually in one or more locations in the Members' constituency from time to time to facilitate travel of a Member throughout the district to meet with residents on constituency issues.

6.3.2 How to organize and operate a Constituency Office

- A Member will decide in which community the Constituency Office will be located. Various factors, including the availability of information technology infrastructure in the area, may impact the office location.
- A Member will advise the Corporate and Members' Services Division by writing or e-mail, as soon as possible, what choice has been made with regard to the location of the Constituency Office.
- If accommodations suitable in size, quality and location are available in a Crown-owned building in that location, a Member must choose the space in the government building. To determine if space is available, the Corporate and Members' Service Division will contact the Department of Transportation and Works.
- If private accommodation in a Crown-owned building is not available, a Member may pursue leasing space. A Member must obtain three (3) proposals [including total monthly costs (utilities, taxes, insurance, security, cleaning and janitorial services, and snow clearing)] from the landlords of the commercial office spaces.
- The Corporate and Members' Services Division will provide a Member with an office space specification package that contains the information which potential landlords will require in order to submit proposals for the provision of the office space.
- The office space specification package contains a sample lease with terms acceptable to the Office of the Speaker and in particular stipulates that the lease shall be terminable at or before the expected date for the next general election.
- A proposal must be submitted on the Proposal Form provided with the package and with all required additional documentation attached. A copy of the form is included in section 5.4.
- A Member must submit the proposals ranked in order of preference, with supporting reasons, in writing, to the Clerk of the House of Assembly. When a Member cannot obtain three (3) proposals for commercial office space, the Member shall provide reasons, in writing, to the Clerk.
- Following consultation with a Member, the Clerk shall approve one of the proposed choices. The Clerk will prepare the necessary contract and all payments to the landlord will be made directly from the House of Assembly.
- The Corporate and Members' Services Division will acquire the furniture and equipment package (as provided for under Directive 2007-003) and ship to a Member's Constituency Office in the district.
- The Corporate and Members' Services Division will also arrange for the hookup of all services including computer, telephone, blackberry or cell phone, fax, internet and cable services.

Section 6: Office Allowance

- House of Assembly staff are currently in discussion with the Department of Tourism, Culture and Recreation regarding the implementation of the artwork program as referred to in 25(1) of the Rules. Further information will be provided when it is available.

6.4 Changing Arrangements

22. *Where a member chooses accommodation under subsection 20(5), he or she may elect to use a different accommodation arrangement provided he or she is able to withdraw from an existing lease arrangement without penalty or cost to the Crown or without having to give more than two month's notice or payment of rent.*

The Member should notify the Clerk, in writing, of the intention to change, as soon as possible.

6.5 Eligibility for Space

23. *(1) Where a member has chosen office accommodation in the Confederation Building complex, the speaker shall, to the extent possible, group the office accommodations for members of the same political party together in the same area as part of a caucus office.*
- (2) Where a member has chosen to have his or her Constituency Assistant work in office accommodation in the member's constituency or in the member's ministerial or parliamentary or special assistant's offices, the speaker shall provide funding to the caucus with which the member is associated to provide shared secretarial assistance in the Confederation Building complex for all members of that caucus in the same circumstances.*
- (3) The cost of providing shared secretarial assistance, telephone, computer and secretarial services and associated operational costs shall be a part of the estimates of the House of Assembly and paid for out of the funds allocated for its operations.*

6.6 Office Operations, Supplies and Communications Allowance

A Member is entitled to incur expenses up to \$15,000 (\$13,160, net of HST) per year for general office operations, supplies and communications in respect of his or her duties. This amount will be prorated for a Member elected part way through a fiscal year.

This allowance covers the costs for all items as listed below for both a Member and his or her Constituency Assistant. These costs may be incurred in the Constituency Office in the district (if applicable), an office in the Confederation Building or in a home office.

If a Member is unsure about whether a particular purchase is an acceptable expense, the Member should contact the Corporate and Members' Services Division.

A Member should refer to section 5.3 of this manual for the particular process to follow when he or she wishes to acquire an item or service under this sub-category of allowance.

24. *A member may claim against the office operations and supplies allowance for reimbursement to cover operational costs of operating a Constituency Office including*
- (a) office supplies;*
 - (b) printing;*
 - (c) photocopies;*
 - (d) newspapers;*
 - (e) answering services;*
 - (f) staff professional development;*
 - (g) courier services and postage;*
 - (h) database maintenance;*
 - (i) advertising, including Constituency Office hours, contact telephone numbers for the member, email addresses, notices of constituency meetings, and advertising messages of welcome or congratulation;*
 - (j) greeting, Christmas, sympathy or other similar cards to be sent to constituents and others relating to the member's constituency work; and*
 - (k) those other items identified and directed by the commission.*

Operations and Office Supplies

Office Supplies

- For example - pens, pencils, staples, paper clips, paper, tape, envelopes, toner and printer cartridges, etc. It may also include courtesy items such as coffee, tea, juice and soft drinks for the Constituency Office.

Newspapers

- Includes costs of subscriptions to newspapers.

Section 6: Office Allowance

Photocopies

- Includes the cost of high volume photocopying not possible using the photocopier in a Constituency Office. Also, for Confederation Building offices, a per-copy charge will be assigned to a Member.

Staff Professional Development

- Includes the cost of registration and course fees for relevant development opportunities for the Member and his or her Constituency Assistant.

Database Management

- Database maintenance will normally be performed by the Office of the Chief Information Officer. A Member should contact the Corporate and Members' Services Division for service.

Other Items

- These are items to be identified and directed by the Commission. At this time, no additional items have been approved by the Commission.

Communications

Printing

- Includes householders, newsletters, printing of Christmas or other cards.

Advertising

- Advertising message may include Constituency Office hours, contact telephone numbers for the Member, email addresses and photo of the Member. It may also include notices of constituency meetings, and advertising messages of welcome or congratulation.

Cards

- Includes purchase of generic sympathy, greeting, Christmas or other similar cards to be sent to constituents and others relating to the Member's constituency work. This may include the cost of photos for cards.

Postage

- Includes costs of postage related to mailing of householders, Christmas and other cards, other letters and documents to constituents or on behalf of constituents.

Courier Services

- Includes delivery of documents and other packages by courier or taxi.

Answering Services

- Includes outside answering service, which is not provided as part of the telecommunication services provided to Members by the House of Assembly under the Operational Resources category.

Section 6: Office Allowance

Expenses that are not permitted under this allowance include:

- Any item or advertising that utilizes a party logo;
- Announcement of or attendance at party meetings or events;
- Solicitation for political party membership, contributions to a political party, request for re-election support including campaign materials;
- Items that are of a personal nature;
- Hospitality items such as meals and beverages; and
- Donations or gifts.

Directive - (2007 - 006) - Advertising

CD 2007 - 006

Pursuant to subsection 20(6)(b)(i) of the *House of Assembly Accountability, Integrity and Administration Act* and in relation to section 24(i) of the Members' Resources and Allowances Rules, the Commission hereby makes the following clarification with respect to advertisements:

The purpose behind any advertising expenses shall be solely to assist Members to convey contact information along with advertising messages of welcome or congratulations.

Advertising expenses claimed by a Member must be supported by the original invoice. Members must keep the supporting documentation, such as sample copies of the product received and/or distributed and scripts of the radio or television communication, on file for inspection by the Office of the Clerk.

When advertising in booklets produced by community groups, a Member should ensure that the costs are reasonable in relation to amounts charged by profit-oriented organizations. Otherwise the expense may be perceived to be, in part, a donation.

7.0 Operational Resources

A Member will be provided with the following operational resources for a Constituency Office:

Section 25 A standard office furniture and equipment package;
 A standard services package including telephone, fax, internet, and
 cable;
 Artwork from the Government procurement program

The office furniture and equipment package will be acquired by the Corporate and Members' Services Division and shipped to a Member's Constituency Office in his or her district.

All services including telephone, blackberry or cell phone, fax, internet and cable services will be arranged by the Corporate and Members' Services Division.

House of Assembly staff are currently in discussion with the Department of Tourism, Culture and Recreation regarding the implementation of the artwork program. Further information will be provided when it is available.

Other operational resources provided are:

Section 26 Support staff - Constituency Assistant

Section 27 Other Resources - Promotional items, certificates and stationery

7.1 Standard Office Allocation

25. (1) A member is entitled to office furniture, equipment and services for his or her Constituency Office based on a standard office allocation approved by directive of the commission and may include

- (a) an office furniture and equipment package;
- (b) artwork from the Government procurement program;
- (c) telephone and facsimile services;
- (d) a computer or laptop computer;
- (e) personal data communication services;
- (f) photocopier, printer and scanner services;
- (g) internet services; and,
- (h) other items that may be identified and approved by a directive of the commission.

(2) All purchases within the standard office allocation remain the property of the government of the province and shall be identified by appropriate markings as House assets.

(3) A member shall not personally fund, in whole or in part, the purchase of House assets.

(4) The clerk shall maintain and update an inventory report of all House assets entrusted to each member.

(5) A member is personally responsible for all items in an inventory and shall account on an annual basis or on demand to the speaker for the items listed in his or her inventory report.

(6) A member shall not dispose of or purport to dispose of a House asset.

(7) Where a Member wishes to dispose of a House asset or have it written off, he or she shall submit a request to the clerk identifying the item and stating the reason for the request.

(8) The clerk shall consult with the Government Purchasing Agency to determine whether the item should be disposed of or written off and the member having that item shall return it to the House for disposal or otherwise comply with the clerk's directions, at which time the item will be removed from the member's inventory.

(9) A new member shall utilize the furniture, furnishings and equipment provided to the outgoing member for that constituency.

(10) Where a member wishes to have a House asset replaced from the outgoing member's standard office allocation, he or she shall submit a request to the clerk identifying the item and stating the reason for the request and the clerk shall consult with the Government Purchasing Agency

Section 7: Operational Resources

to determine whether the asset should be replaced.

(11) Where an asset is to be replaced the member shall return it to the House for disposal or otherwise comply with the clerk's directions, whereupon he or she shall be provided with a replacement item.

(12) Arrangements for the hook-up of constituency fax lines, telephone lines and telephone directory advertising shall be made by or under the direction of the clerk.

Directive - (2007 - 003) - Standard Office Allocation

CD 2007 - 003

Pursuant to subsection 25(1) of the Members' Resources and Allowances Rules, the Commission directs that the standard office allocation shall consist of:

Office Furniture, Equipment and Services package - for Member and Constituency Assistant

Office Furniture:

- One L- shaped desk, wood, veneer
- One credenza, wood veneer
- One bookcase, wood veneer
- Chair, executive (high/low back) with wheels
- Four visitor chairs without wheels
- One L- shaped workstation with hutch
- One chair with wheels
- One TV Stand
- One coffee Table for waiting area
- Two lockable four drawer lateral/vertical filing cabinets
- Three wastepaper baskets
- Two recycling boxes
- Three coat racks
- Water cooler
- One wall clock

Equipment:

- One photocopier
- One scanner
- One facsimile or a combination photocopier, scanner and facsimile machine
- Two desk-top printers
- Cross-hatch shredder
- One 20 inch television
- One VCR or DVD recorder or one combination unit
- One camera and accessories
- Two calculators
- Two desk-top computers
- One lap-top computer

Section 7: Operational Resources

- Two telephones for Constituency Office
- Two Cell phones or blackberries

Other furniture and equipment as approved by Directive of the Commission.

Services

Telephone services:

- Message manager
- Call display
- Long distance plan
- A 1-800 number (if requested)
- Cell phone or blackberry services:
- Message Manager
- Call Display

Facsimile services:

- The installation and maintenance of a facsimile line

Internet and intranet services:

- Access provided through the government network (where possible)

Cable Service includes:

- The installation and maintenance of the most basic channel package which includes the local news channels and the House of Assembly broadcast. Satellite services are not permitted.

Calling card

- A Member and his or her Constituency Assistant are entitled to a calling card, if requested.

All purchases for or by a Member remain the property of the House of Assembly. An inventory system has been established by the House of Assembly to track all new purchases and capture existing assets.

A Member will be provided with an inventory listing of his or her assets by the Corporate and Members' Services Division at least once a year or upon request by the Member. A Member must notify the division of any changes to his or her inventory on an ongoing basis. A Member is personally responsible for missing items assigned to him or her.

No asset can be disposed off or transferred out without the written approval of the Clerk. Members wishing to dispose or transfer assets will notify the Clerk in writing stating reasons for disposal or transfer.

All arrangements for hook-up of constituency computers, telephones lines, fax lines and cable will be made by the Corporate and Members' Services Division. The division should be contacted if problems arise after the initial hookups.

7.2 Support Staff

26. (1) *A member is entitled to engage the services of one Constituency Assistant.*
- (2) *The salaries and benefits for Constituency Assistants shall be set by directive of the commission and unless otherwise contrary to law or a directive of the commission the member may set the terms and conditions of employment.*
- (3) *An employment contract of a Constituency Assistant shall be between the Constituency Assistant and "Her Majesty the Queen in Right of the Province of the Newfoundland and Labrador, herein represented by the Honourable the Speaker of the House of Assembly".*
- (4) *Expenses related to Constituency Assistant salaries and benefits shall be paid directly to constituency employees by the office of the speaker.*
- (5) *Where a member considers it necessary to engage a temporary replacement for a Constituency Assistant due to vacation, illness or other absence of the regular assistant that the speaker considers acceptable the member may, with the consent of the speaker, engage a temporary replacement, and the costs associated with that engagement shall be reimbursed by the office of the speaker to the member.*

This section outlines the policies related to the employment of a Member's Constituency Assistant.

The current structure for a Constituency Assistant's salary, benefits and terms and conditions of employment will be continued until a Directive is approved by the House of Assembly Management Commission. It is the intent to bring forward a recommendation to the Commission for approval as soon as possible. Further information on the employment of Constituency Assistants may be found in section 4.3 of the Members' Handbook.

If a Member requires a temporary replacement for a Constituency Assistant, he or she should apply in writing to the Corporate and Members' Services Division. This request will be reviewed by staff and forwarded to the Speaker for a decision.

7.3 Other Resources

27. (1) *Subject to descriptions, limitations and directions respecting standardization that the commission may direct, a member is entitled to be supplied from the House with the following:*
- (a) *certificate folders and frames for certificates of recognition to be given by members to their constituents;*
 - (b) *promotional items such as pins and flags for distribution to constituents and others in the course of their duties;*
 - (c) *stationery for his or her Constituency Office including business cards, letterhead and other items as directed by the commission;*
- (2) *The clerk shall, in consultation with a member, make resources referred to in this section available to the member as may be required.*
- (3) *The cost of resources in this section shall be made part of the estimates of the House of Assembly and paid for out of the funds allocated for its operations.*

This section outlines a Member's entitlement for promotional items such as pins, flags and certificates and stationery items including business cards and letterhead.

The Commission will establish policies in relation to these items that will be purchased by the Corporate and Members' Services Division of the House. These items will not be charged to a Member's allowance.

- Promotional items (pins and flags) and certificates templates and folders:

These items will be purchased in bulk from a supplier; however, a Member should submit a request at least 2 weeks prior to requirement to allow time for purchasing in case particular items are not in stock at the division.

- Stationery including business cards and letterhead:

A requisition form must be completed and forwarded to the division. Requisitions will be reviewed and forwarded to the Queen's Printer.

8.0 Travel and Living Allowance

A Member has been provided with a travel and living allowance to ensure that he or she has adequate resources to be able to attend sittings of the House and attend to the needs of his or her constituents.

Specific rules relate to the following categories of travel:

- House in Session - travel between the district and the House of Assembly
- House not in Session - travel between the Capital Region and the district
- Intra-Constituency and Extra-Constituency travel - travel within the district or other travel outside the district

For travel to and from the Capital Region (House in session or House not in session) a Member has been allocated a standard number and frequency of trips, regardless of the actual transportation costs. In addition, a Member has been provided with a nightly accommodations amount up to \$125 (depending on circumstances) and a per diem meal allowance of \$50.

For travel within the constituency and extra-constituency travel a Member has been provided with an annual maximum dollar amount that varies by district to cover transportation, accommodation and meal costs. A Member may claim the actual transportation costs, a nightly accommodations amount up to \$125 (depending on circumstances) and a per diem meal allowance of \$50.

The rules that detail the specific amounts which can be reimbursed vary based on (1) the location of the Member's permanent residence and (2) the location of the district. Therefore, these rules have been sub-divided into 4 distinct categories:

- Permanent residence in the Capital Region and district outside the Capital Region;
- Permanent residence in the district which is outside the Capital Region;
- Permanent residence and district within the Capital Region; and
- Permanent residence not in district or Capital Region and the district outside the Capital Region.

This Section of the Manual is divided into the following:

- General Rules and Principles (sections 8.1 to 8.10).
- Application of the Travel and Living Allowance (section 8.11- 4 categories).

Refer to section 5.3 of this manual for the processes to follow when claiming reimbursement of expenses under this allowance.

8.1 Definitions

28. *In this Part*

(a) *“commuting distance” means 60 kilometres or less:*

(b) *“constituency business” means an activity directly connected with a member’s responsibilities as a member in relation to the ordinary and proper representation of electors and their families and other residents in the constituency, but does not include partisan political activities*

(c) *“in session” in relation to the House of Assembly means the period of time between the day prior to the commencement of a sitting of the House of Assembly and the day following an adjournment, where the period of adjournment is greater than 7 days;*

(d) *“permanent residence” means the place that a member declares in an affidavit to the speaker is*

(i) the place where a member in fact resides on a settled basis with his or her family, or

(ii) where there is no single place where the member resides on a settled basis, the place that the member otherwise regards as his or her permanent residence, and does not include a seasonal or recreational dwelling or cabin;

(e) *“private accommodation” means accommodation owned or maintained by a person other than the member, the member’s spouse or children and which may be used by the member when traveling;*

(f) *“secondary residence” means a residence that is not a permanent residence but is owned or leased by the member and is available for occupancy by the member but does not include a seasonal or recreational dwelling or cabin; and*

(g) *“temporary accommodation” means short-term, temporary or transient accommodation such as a hotel, motel, bed and breakfast or boarding house.*

This section explains the various terms that relate to travel and living allowance expenses. These terms are found throughout the Rules and a Member should always refer to these explanations in determining eligible expenses when completing the Member Expense Claim form.

Commuting distance:

- Any travel within 60 km or less. This refers to the distance traveled in one direction and not a return trip.

Constituency business:

- An activity directly connected with a Member’s responsibilities to his or her constituents and does not include partisan political activities.

Section 8: Travel and Living Allowance

In session means:

- The period of time between the day prior to the commencement of a sitting of the House of Assembly and the day following an adjournment, where the period of adjournment is greater than 7 days.

Accommodations

Permanent residence means:

- The place that a Member in fact resides on a settled basis with his or her family.
- If a Member does not have a settled residence, then the place that the member otherwise regards as his or her permanent residence will be acknowledged as such. This cannot include a seasonal or recreational dwelling or cabin.
- A Member must declare in an affidavit to the Speaker the place that is his or her permanent residence. A copy of the affidavit is included in section 5.4 of this manual.

Private accommodation means:

- Accommodation owned or maintained by a person other than the Member and his or her spouse or children and which may be used by the Member when traveling.

Secondary residence means:

- A residence that is not a permanent residence but is owned or leased by the Member and is available for occupancy by the Member. This cannot include a seasonal or recreational dwelling or cabin.

Temporary accommodation means:

- Short-term, temporary or transient accommodation such as a hotel, motel, bed and breakfast or boarding house.

Section 8: Travel and Living Allowance

8.2 Principles

This section describes the general principles related to travel and living allowance expenses.

29. (1) A member may claim for a travel and living allowance only where the member
- (a) is engaged in constituency business; and
 - (b) is outside of commuting distance of the member's permanent residence.

PLEASE NOTE

This Rule means that a Member must travel more than 60 km (one way) before the Member is eligible to claim private vehicle usage for that trip.

Therefore, under the existing rules, if the distance is greater than 60 km, the entire travel may be claimed but if the distance is less than 60 km, then no travel may be claimed.

It appears this Principle was intended to apply only to

- (a) *trips to and from the Capital Region for sessions of the House; or*
- (b) *Constituency business and travel from the permanent residence to the district (for a Member who does not reside in his or her district).*

However, since this paragraph (29(1(b))) is a General Principle under the Travel and Living Allowance rules, it must also be applied to intra-constituency and extra-constituency travel.

As a result, if a Member travels within the district on constituency business (as provided for under the intra-constituency allowance allocation), the one way distance traveled must be greater than 60 km to be eligible for reimbursement. Clearly, this was not the intention.

This is apparent in other sections of the Rules, such as the fact that a Member whose district and permanent residence are both within the Capital Region has been allocated \$7,500 for intra-constituency travel. As a Member is not entitled to claim for meals or accommodations while on constituency business within the Capital Region, the full allocation would relate only to travel. Since it is likely that all one-way travel within the district would be less than 60 km, the Member could not avail of any funds under this \$7,500 allocation for intra-constituency travel.

Further, 40(4) states "Subject to subsection 29(5), where a member whose constituency is in the Capital Region travels by his or her own vehicle, he or she may claim reimbursement for the number of kilometers reasonably necessary to

Section 8: Travel and Living Allowance

accomplish the travel objectives multiplied by the rate per kilometer payable to government employees.”

It is recognized that this is an issue which the Commission must resolve. Until then, under the current rules, intra-constituency travel cannot be reimbursed if the one way distance traveled is less than 60 km.

The Clerk will prepare a briefing note for the next Commission Meeting recommending approval of a Directive to exclude intra-constituency travel from the 60 km distance limitation.

In the interim, it is recommended that a Member retain any applicable receipts and records for possible submission and reimbursement if a Directive is approved by the Commission and retroactive application is allowed.

29. (2) Entitlement to claim a particular type of travel and living allowance and the extent of that claim is affected by
- (a) whether the member's permanent residence is located in
 - (i) the member's constituency,
 - (ii) another constituency outside the Capital Region, or
 - (iii) the Capital Region;
 - (b) whether or not the House of Assembly is in session; and
 - (c) whether the member maintains a secondary residence.
- (3) For the purpose of these rules, a member may operate and maintain only one permanent residence but a member may operate and maintain a secondary residence.
- (4) Where a member changes a permanent residence or a secondary residence, the member shall immediately notify the speaker by way of affidavit of that change.
- (5) A member shall not claim reimbursement for a travel or a living allowance relating to travel from his or her permanent residence to the Confederation Building complex where his or her permanent residence is located in the capital region.
- (6) A member shall not claim reimbursement for a travel or a living allowance relating to travel from his or her permanent residence to his or her constituency where the permanent residence is outside the constituency but within commuting distance of the constituency.
- (7) On a day when a member may claim a meal allowance while on constituency business, but only a portion of that day is spent on constituency business, his or her daily meal allowance shall be pro-rated in a manner established by a directive of the commission.
- (8) When traveling, a member may avail of temporary accommodation or may stay in a secondary residence or in private accommodation.

Section 8: Travel and Living Allowance

A Member can only claim reimbursement for accommodations, meals and travel in relation to constituency business which is any activity that is directly connected with the Member's responsibilities in relation to the ordinary and proper representation of electors and their families and other residents in the constituency.

A claim should **not** be made if the expense relates to:

- Partisan political activities.
- A personal benefit to a Member or an associated person of a Member.
- A matter that calls into question the integrity of a Member or brings the House of Assembly into disrepute.

Per Diem Meal Allowance:

- If only a portion of a day is spent on constituency business, the \$50 (inclusive of HST) meal per diem shall be prorated as follows: breakfast - \$10; lunch - \$15; and dinner - \$25.

Travel **not** reimbursable:

- Travel from a Member's permanent residence (if located in the Capital Region) to the Confederation Building.
- Travel from a Member's permanent residence to the district if the permanent residence is outside the district but within 60 km of the district.
- Travel to Caucus meetings.

8.3 Types of Travel and Living Allowance

30. *A member may claim reimbursement for travel and associated accommodation and meal costs related to travel*
- (a) between his or her constituency or permanent residence and the Confederation Building complex to attend sittings of the House of Assembly and to attend to constituency business and other duties of the member that may require his or her presence in the Capital Region;*
- (b) between his or her permanent residence, where that residence is not located in the constituency, and his or her constituency, where that constituency is located outside the Capital Region;*
- (c) within his or her constituency to attend to constituency business;*
- (d) between his or her constituency or the Capital Region and another constituency outside the Capital Region in relation to matters affecting his or her constituency;*
- (e) to attend conferences and training courses relating to his or her member responsibilities;*
- (f) to and from other parts of Canada where the purpose of the trip is directly related to constituency business; and*
- (g) for travel of his or her Constituency Assistant where it is necessary to attend to constituency business.*

This section outlines the types of travel for which a Member may be reimbursed under the travel and living allowance:

Travel - House in session (to attend sittings of the House of Assembly):

- Between his or her constituency or permanent residence and the Confederation Building (except if the permanent residence is in the Capital Region.)

Travel – House not in session

- Between the constituency or permanent residence and the Capital Region;
- Between the permanent residence (if not located in constituency) and constituency if the constituency is located outside the Capital Region;

Section 8: Travel and Living Allowance

Travel – Intra- Constituency and Extra-Constituency

- Within the constituency;
- Between the constituency or Capital Region and another constituency;
- To and from other parts of Canada on constituency business; and
- For travel of a Constituency Assistant where it is necessary to attend to constituency business.
- Attending conferences and training related to Member responsibilities.

Section 8: Travel and Living Allowance

8.4 Modes of Travel

40. (1) A member may travel by means of
- (a) his or her own motor vehicle;
 - (b) a rental vehicle;
 - (c) commercial scheduled fixed wing aircraft;
 - (d) bus transportation; and
 - (e) ferry transportation.

40. (2) Where a member proposes to travel by means other than the means mentioned in subsection (1), the member shall first make a proposal in writing to the speaker outlining the nature of the travel, the reasons for that travel, the details of the proposed engagement of the mode of travel and its estimated costs, and if the speaker is of the opinion that it is a reasonable expenditure to enable the member to fulfill his or her duties to constituents and there is sufficient money available within the existing travel budget of the House of Assembly, the speaker may approve the proposal subject to conditions that he or she considers reasonable in the circumstances.

- (3) A decision of the speaker under subsection (2) shall be reported at the next meeting of the commission and recorded in the minutes of the commission.

This section details the different means of travel of which a Member may avail and the process to follow if the Member wishes to travel by means other than those indicated.

Means of Travel do not include:

- Taxis

Note: It would appear that it was not intended that taxis would be excluded from 40 (1) - Means of Travel. Therefore, the Clerk will prepare a briefing note for the next Commission meeting recommending that taxis be added to the means of travel.

If a Member wishes to travel by means other than those mentioned above, the Member must:

- Make a proposal in writing to the Speaker outlining the nature, reasons and details of the proposed means of travel plus an estimated cost of the travel.
- The Speaker will review the request for reasonableness and sufficient funding and may approve subject to any conditions that are considered reasonable in the particular circumstances.
- The Speaker's decision shall be reported at the next Commission meeting and recorded in the Commission minutes.

Section 8: Travel and Living Allowance

40. (4) Subject to subsection 29(5), where a member whose constituency is in the Capital Region travels by his or her own vehicle, he or she may claim reimbursement for the number of kilometers reasonably necessary to accomplish the travel objectives multiplied by the rate per kilometer payable to government employees.

(5) Subject to subsection 29(6), where a member whose constituency is outside the Capital Region travels by his or her own vehicle, he or she may claim reimbursement for the number of kilometers reasonably necessary to accomplish the travel objectives multiplied by the rate per kilometer payable to government employees who are required to use private vehicles as a condition of employment rate.

Private Vehicle Usage

This section explains reimbursement for private vehicle usage.

A Member may claim reimbursement for private vehicle usage for the kilometers traveled to accomplish travel objectives. The reimbursement is based on the number of kilometers traveled multiplied by the applicable rate.

Reimbursement not permitted:

- 29(5) - Reimbursement for travel from a permanent residence located in the Capital Region to the Confederation Building.
- 29(6) - Reimbursement for travel from a permanent residence to his or her constituency if the permanent residence is outside the constituency but within 60 km of the constituency.

40. (7) Where a member travels by his or her own vehicle, he or she shall at all times maintain a vehicle travel log in which he or she shall record the dates and destinations of a trip, the number of kilometers actually and reasonably traveled in connection with the trip, and in the case of members referred to in subsection (6) the number of kilometers traveled on unpaved roads.

(8) A member shall make his or her vehicle travel log available for inspection by the clerk, the speaker, the commission and an auditor appointed by the commission within the 3 year period following the date when a particular trip was undertaken.

A Member must maintain a **Vehicle Travel Log** which includes:

- Dates of a trip
- Destinations of a trip
- Kilometers actually and reasonably traveled
- Kilometers traveled on unpaved roads (if applicable)

Section 8: Travel and Living Allowance

The **Vehicle Travel Log** must be available for inspection within the 3 year period following date of travel by:

- Clerk
- Speaker
- House of Assembly Management Commission
- Auditor

40. *(9) Where a member travels by rental vehicle or commercial scheduled fixed wing aircraft, the member may claim reimbursement for the actual cost provided it does not exceed the actual cost of a full fare economy ticket.*
- (10) Where a member travels by rental vehicle for more than 15 consecutive days, the member shall first obtain the approval of the clerk who shall report his or her approval at the next meeting of the commission and a notation of that approval shall be recorded in the minutes of the commission.*
- (11) Where a member travels by bus, he or she may claim reimbursement for the actual cost of the trip provided that it does not exceed the cost of a full fare economy air fare.*

This section explains the amounts to be reimbursed for airfares, and the requirements for vehicle rentals greater than 15 days, and travel by bus.

Travel by Rental Vehicle and Bus

- Claim actual cost incurred provided it does not exceed the actual cost of a full fare economy airline ticket. If the costs exceed the actual cost of an economy ticket, the Member may only claim the lower amount.

In circumstances where a Member would normally fly but chooses to rent a vehicle, the Member must attach either documentation from a travel agency or the airline's online website showing the actual cost of a full fare economy airline ticket for the same period covered by the vehicle rental or bus trip.

- If a vehicle rental greater than 15 consecutive days is required, a Member must receive prior approval of the Clerk. The Clerk shall report this request at the next Commission meeting.

Travel by commercial scheduled fixed wing Aircraft

- A Member must travel by the most economical means - no greater than a full fare economy ticket.

Section 8: Travel and Living Allowance

40. *(6) The member for the electoral district of Cartwright-L'Anse au Clair and the members of those other electoral districts as may be designated by directive of the commission are entitled, on filing an affidavit with the speaker verifying that the member has traveled in her or his private vehicle in excess of 5000 kilometers on unpaved roads on constituency business, to payment of a sum of \$1000 annually to be paid toward deterioration of the vehicle.*

In recognition of the additional wear and tear on a vehicle when traveling on unpaved roads, the following provision has been included:

Cartwright - L'Anse au Clair electoral district:

- Can claim \$1,000 per fiscal year if travel on unpaved roads for constituency business exceeds 5000 kilometers for that year.
- An affidavit must be filed with the Speaker verifying the travel. A copy of the affidavit is included in section 5.4 of this manual.
- Travel on unpaved roads must be documented in the Member's Vehicle Log.

Other electoral districts:

- Other districts may be entitled to the above payment of \$1,000 if designated by a directive of the Commission.

Section 8: Travel and Living Allowance

8.5 No Banking of Weekly Travel

34. *Where a member does not travel under paragraphs 31(1)(a), 32(2)(a) or 33(a) in respect of a particular week, the entitlement to claim for that week ceases.*

Paragraphs 31(1)(a), 32(2)(a) and 33(a) relate to a Member who travels from his or her permanent residence or constituency to the Capital Region to attend sittings of the House.

While the House is in Session, a Member may make one return trip every week to the district or permanent residence to attend to constituency business (provided the permanent residence or district is outside the Capital Region). However, if a Member does not travel to the district or permanent residence in any one week, this “missed” trip cannot be banked and used at a later date.

Section 8: Travel and Living Allowance

8.6 Travel under Special Circumstances

43. (1) *Where it is unsafe or otherwise impractical for a member who is traveling to return to his or her permanent residence when scheduled to do so and when he or she would not otherwise be entitled to claim reimbursement for accommodations and meals under this Part, the member is entitled to claim for additional expenses at the same rates and under the same circumstances that relate to the original travel.*
- (2) *A member shall contact the clerk or the speaker before incurring the additional expenses contemplated by this section, explain the reason for and estimated amount of the additional expenses and obtain the approval of the speaker for that expenditure and that approval shall not be unreasonably withheld.*
- (3) *Notwithstanding subsection (2), where a member has been unable to contact the clerk or the speaker before incurring an expense, the member shall at the earliest reasonable opportunity, notify the speaker of the incurring of the expense.*
- (4) *The speaker shall, in writing, report the nature and amount of additional expenditures incurred under this section, together with the reasons for those expenditures to the next meeting of the commission and that information shall be recorded in the minutes of the meeting.*

This section covers the process to follow when a Member is unable to return to his or her permanent residence as scheduled and the Member would not otherwise have been entitled to claim for accommodations and meals.

- The Member must contact the Clerk or Speaker before incurring accommodations and meals costs, if possible, to obtain prior approval. Explain reason for and estimated amount of additional expenses.
- If unable to contact the Clerk or Speaker before incurring the expense, the Member must notify the Speaker at the earliest reasonable opportunity of the costs incurred.
- Expenses will be reimbursed at the same rates and under the same circumstances that relate to the original travel.
- The Speaker will report, in writing, at the next Commission meeting, the nature, reason and additional expenses incurred. This information will be recorded in the minutes of the meeting.

8.7 Accommodation Expenses

41. (1) *Where a member claims expenses related to temporary accommodation, those expenses may include*
- (a) Room charges;*
 - (b) Long distance telephone and internet charges related to constituency business;*
 - (c) Overnight parking fees;*
 - (d) Incidental hotel, motel, bed and breakfast or boarding house charges;*
 - (e) Those other items that may be specified by a directive of the commission.*

Expenses related to Temporary Accommodations may include the following:

- Room charge for hotel, motel, bed and breakfast or boarding house
- Phone and internet costs - if related to constituency business
- Parking fees for each night of stay

8.8 Accommodations Expenses – Secondary Residence

41. (2) *Where a member claims expenses relating to a stay in a secondary residence those expenses may include*
- (a) Rent and associated charges;*
 - (b) Condominium common area expenses;*
 - (c) Mortgage interest;*
 - (d) Utilities;*
 - (e) Telephone and internet services;*
 - (f) Furniture rental;*
 - (g) Parking charges; and*
 - (h) Those other items that may be directed by the commission.*
- (3) For the purpose of making a claim under subsection (2), a member may estimate the costs that he or she considers to be reasonable on an annual basis for the determination of a pro-rated daily amount as the basis of his or her claim and submit them to the clerk for approval.*
- (4) The clerk may, before approving the costs under subsection (3), require the member to provide further documentation in support of the estimates.*

This section outlines the rules for claiming expenses relating to a stay in a secondary residence.

Eligible expenses are listed in 41(2) above.

Expenses currently **not** eligible for inclusion in estimation of secondary residence costs:

- Mortgage principal
- Snow clearing or Lawn mowing
- Cable services
- Security systems

If a Member wishes to claim reimbursement for expenses for a secondary residence, he or she must complete the Affidavit of Secondary Residence. A copy of the affidavit is included in section 5.4 of this manual.

Estimates of reasonable costs - the affidavit must be filed on an annual basis and forwarded to the Clerk for approval prior to submitting claims for reimbursement of expenses.

Documentation - the Clerk may require the Member to provide further documentation in support of the estimates of annual expenses, before approving the costs.

8.9 Restrictions on Meal Allowance

42. Where a member makes a claim pursuant to subsection 46(3) relating to meal expenses, the member shall not claim any daily meal allowance under this Part in respect of the same day.

The section covers the restriction on Meal Allowances as it relates to meals or food claimed under the annual block funding of \$3,000 for constituency allowance.

A Member cannot claim any daily meal allowance in respect of the same day as:

- The day in which a Member purchases meals or the bulk purchase of food, non-alcoholic beverages and other supplies for meetings with constituents or other members of the public in relation to constituency business, or on other constituency related occasions as permitted under the \$3,000 annual constituency allowance category.

8.10 Budgetary Requests

44. (1) *A member shall, on or before a date in each year prescribed by the speaker submit an estimate of the amount of money that the member reasonably estimates will be required by him or her for travel in the following fiscal year.*
- (2) *An estimate submitted under subsection (1) shall be provided to the clerk in the form that he or she may require.*
- (3) *In preparing the estimates of the House of Assembly under section 26 of the Act the speaker shall take account of the estimates submitted by the member under subsection (1) but the commission may vary those estimates if in its opinion the amount is not appropriate.*
- (4) *The clerk may issue guidelines for members with respect to the matters to be dealt with, and the manner of presentation of those matters, in the preparation of the estimates under subsection (1).*

This section covers a Member's responsibilities regarding the submission of an annual estimation of the funding required to cover the costs of travel and living allowance for his or her district. A form with instructions will be provided to assist the Member with the estimates submission.

Section 8: Travel and Living Allowance

8.11 Application of Travel and Living Allowance Rules

The application of the Travel and Living Allowance Rules depends on (1) the location of a Member's permanent residence and (2) the location of the district.

Therefore, the specific rules which detail what a Member may claim for accommodations, meals and travel have been broken down into 4 different categories of Members based on the location of the Member's permanent residence and district.

An explanation of the rules for each category of a Member is provided in the tabs and includes a complete set of the applicable sections for that category along with a Chart which can serve as a reference for a "snapshot" of the rules for that category.

Once a Member has determined which of the 4 categories applies to his or her circumstances, there is no need to refer to the other 3 sections of the manual.

Instructions for completing the Member Expense Claim Form and the required supporting documentation are included in section 5.3.

The 4 categories are:

MHA-1

Permanent residence in the Capital Region and District outside the Capital Region

MHA-2

Permanent residence in the District which is outside the Capital Region

MHA-3

Permanent residence and District within the Capital Region

MHA-4

Permanent residence not in the District or in the Capital Region and the District is outside the Capital Region

MHA-1 Permanent residence in Capital Region and District outside Capital Region

A Member whose permanent residence is in the Capital Region and whose district is outside the Capital Region has been identified as MHA-1.

The sections of the Rules that relate to MHA-1 are included in this tab. These sections are:

- Section 32 House in Session - Travel to Constituency
- Section 36 House not in Session-Travel to Constituency
- Section 38 Intra-Constituency - Travel within the Constituency
- Section 39 Extra-Constituency Travel - Other travel related to constituency business

Subsections 29(1), 29(5) and 29(6) of the Rules are also included in this tab. These subsections outline the restrictions on reimbursement for travel.

The **General Rules and Principles** for the travel and living allowance are included under sections 8.1 to 8.10 of this manual and must be read in conjunction with the specific rules for MHA-1.

In particular, a Member must understand the following:

- In session - Definition- Section 28
- Accommodations - Definitions of Permanent and Secondary residence and Temporary and Private Accommodations - Section 28
- Secondary residence and Temporary accommodation expenses - Section 41
- Modes of travel and requirements - Section 40

The **Chart** on the last page of this section for MHA-1 provides a “snapshot” of the Rules that relate to claiming accommodations, meals and travel expenses for a Member in this category.

The chart is divided into the following sub-divisions: House in Session (section 32); House not in Session (section 36); Intra-constituency and Extra Constituency Travel (sections 38 and 39). Under each sub-division on the chart, a Member will note that the allowable expenses for travel, accommodations and meals are shown.

House in Session - Travel to constituency

32. (2) A member who maintains a permanent residence within the Capital Region but represents a constituency outside the Capital Region may claim reimbursement for the following costs while the House of Assembly is in session:
- (a) for each week or part of a week that the House of Assembly is in session, the actual transportation cost of one return trip to his or her constituency to attend to constituency business;
 - (b) for a maximum of 3 nights during a trip, either
 - (i) the actual cost of temporary **[or secondary residence]**² accommodations, **[with receipts]**³ in the constituency up to a maximum of \$125 a night actually spent in the constituency; or
 - (ii) without receipts, a daily amount of \$25 when staying in private accommodation; and
 - (c) without receipts, a daily amount of \$50, as a contribution to the cost of meals.

In addition to the 3 nights allowed under 32(2)(b), a Member may claim for additional travel under section 38 - intra-constituency for travel within the district.

Therefore, a Member whose permanent residence is not in the district can claim the following expenses related to travel to and within the district while the House is in session:

- House in session - The actual cost of 1 return trip from permanent residence to district (if the distance traveled from permanent residence to the district is greater than 60 km) each week plus up to 3 nights accommodations and per diem meals
- Once the Member arrives in the district, the Member can then avail of the intra-constituency allocation for travel within the district. The annual allocation for each district for intra-constituency allowance is included in section 8.12 of this manual.

2 As referred to in Commission Directive 2007-005 - Secondary Residence, Subparagraph 32(2)(b)(i) should be interpreted as if the words "or secondary residence" appeared after the word "temporary."

3 As referred to in Commission Directive 2007-002 - Travel and Living Allowances, Subparagraph 32(2)(b)(i) should be interpreted as if the words "with receipts" appeared after the word "accommodations."

Example:

House in Session

A Member leaves the Capital Region on Thursday evening and travels to the district and returns to the Capital Region on Monday morning. (4 nights)

- Travel - The Member can claim the actual costs of transportation from the Capital Region to the district (if the distance traveled is greater than 60 km). Once he or she is in the district, the Member must then avail of the travel as allowed under intra-constituency travel. This allowance is a block funding annual allocation for travel, accommodations and meals within the constituency.
- Accommodations - Once the Member is in the district, he or she may avail of a maximum of 3 nights as indicated under section 32. For the fourth night spent in the district, he/she must avail of the block funding annual allocation for intra-constituency travel.
- Meals - The Member may claim a daily amount of \$50.

House not in Session - Travel to constituency

36. (1) A member who maintains a permanent residence within the Capital Region is not entitled to claim for accommodation or meals while attending constituency business in the Capital Region.

A Member is not entitled to claim for **meals and accommodations** while attending to constituency business in the Capital Region if the Member's permanent residence is in the Capital Region. The Members' district may be outside or within the Capital Region.

36. (2) A member who maintains a permanent residence within the Capital Region but represents a constituency outside the Capital Region may claim reimbursement for the following travel and accommodation costs to and from his or her constituency when the House of Assembly is not in session
- (a) the actual transportation cost of not more than 20 return trips per year;
 - (b) the actual cost of 35 nights of either
 - (i) temporary **[or secondary residence]**⁴ accommodation, with receipts, in the constituency up to maximum of \$125 a night for each night actually spent in the constituency, or
 - (ii) without receipts, a daily amount of \$25 when staying in private accommodation; and
 - (c) without receipts, a daily amount of \$50 as contribution to the cost of meals.

In addition to the 35 nights allowed under 36(2)(b), a Member may claim for additional travel under section 38 - intra-constituency for travel within the constituency.

Therefore, a Member whose permanent residence is not in the District can claim the following expenses related to travel to and within the constituency while the House is not in session:

- House not in session - The actual cost of 20 return trips per year (if distance from permanent residence to district is greater than 60 km) plus up to 35 nights per year plus per diem meals.
- Once the Member arrives in the district, the Member can then avail of the Intra-constituency block allocation for travel within the constituency.

4 As referred to in Commission Directive 2007-005 - Secondary Residence, subparagraph 36(2)(b)(i) should be interpreted as if the words "or secondary residence" appeared after the word "temporary."

Example:

House Not in Session

A Member leaves the Capital Region on Monday morning and travels to the district and returns to the Capital Region on the Thursday morning of the following week. (10 nights in the district)

- Travel - The Member can claim the actual costs of transportation from the Capital Region to the district (if the distance traveled from permanent residence to district is greater than 60 km). Once he or she is in district, the Member must then avail of the travel as allowed under intra-constituency travel. This allowance is a block funding annual allocation for travel, accommodations and meals within the district.
- Accommodations - Once the Member is in the constituency, he or she could avail of 10 of the 35 night's accommodations available under section 36 or he or she may use the intra-constituency allowance to provide accommodations for the 10 days or a combination of both. In effect, on an annual basis, the Member can avail of 35 nights in the district as permitted under section 36 plus any other nights as long as he or she stays within the annual allocation for the intra-constituency allowance.
- Meals - The Member can claim a daily amount of \$50.

Restrictions on Reimbursement for Travel

29. (5) *A member shall not claim reimbursement for a travel or a living allowance relating to travel from his or her permanent residence to the Confederation Building complex where his or her permanent residence is located in the capital region.*

29. (1) *A member may claim for a travel and living allowance only where the member*
(a) is engaged in constituency business; and
(b) is outside of commuting distance of the member's permanent residence.

A Member may not claim for transportation, meals or accommodation for travel that is less than 60 km from the Member's permanent residence. Refer to section 8.2 (pages 8-4 and 8-5) for more information.

29. (6) *A member shall not claim reimbursement for a travel or a living allowance relating to travel from his or her permanent residence to his or her constituency where the permanent residence is outside the constituency but within commuting distance of the constituency.*

A Member may not claim for transportation, meals or accommodations for travel from the permanent residence (outside the district) to the district if the permanent residence is within 60 km of the district.

Intra-Constituency travel

38. (1) *A member may be reimbursed in accordance with this section for reasonable travel, accommodation and meal expenses incurred while acting on constituency business within his or her constituency.*
- (2) *The allowance provided for in this section may include*
- (a) *the cost of transportation by motor vehicle, all-terrain vehicle, boat, snowmobile, fixed wing aircraft or helicopter, in accordance with section 40 [of the Rules];*
- (b) *the actual cost of temporary [or secondary residence]⁵ accommodation, with receipts, up to a maximum of \$125 a night, or a daily amount, without receipts, of \$25 when staying in private accommodation; and*
- (c) *a daily amount of \$50, without receipts, as a contribution to the cost of meals.*
- (3) *The maximum amount in respect of an electoral district for which a member who represents that district may claim in a fiscal year for intra-constituency travel is the amount set out in Schedule A⁶.*

In addition to the modes of travel as listed under section 8.4 of this manual (private vehicle, fixed wing aircraft, rental vehicle, ferry and bus), a Member may travel by these other modes of travel:

- All-terrain vehicle
- Boat
- Snowmobile
- Helicopter

Each Member is allocated a block fund to cover the costs of accommodations, meals and travel within his or her constituency.

The annual maximum intra-constituency amount for each electoral District is set out in section 8.12 of this manual.

5 As referred to in Commission Directive 2007-005 - Secondary Residence, paragraph 38(2)(b) should be interpreted as if the words "or secondary residence" appeared after the word "temporary."

6 Section 8.12 of this manual.

Extra-Constituency travel - Other travel

39. *(1) A member may be reimbursed in accordance with this section for reasonable travel, accommodation and meal expenses incurred with respect to circumstances referred to in paragraphs 30(d),(e),(f) and (g).*

A Member may claim for reasonable expenses for travel with respect to the following circumstances:

- Between constituency or Capital Region and another constituency on matters affecting the constituency; 30(d)
- To and from other parts of Canada where the purpose of trip is directly related to constituency business; 30(f)
- For travel of a Constituency Assistant where it is necessary to attend to constituency business; 30(g)
- Attending conferences and training related to Member responsibilities; 30(e)

Reasonable travel, accommodations and meal expenses are the same as those in section 38 except for temporary accommodations for travel outside the Province, where actual costs will be reimbursed.

39. *(2) The maximum amount that a member may claim in a fiscal year for extra-constituency travel is the amount unexpended on intra-constituency travel under section 38.*

The maximum amount that may be claimed for extra-constituency travel is the amount unexpended under the intra-constituency allocation. Therefore, the maximum annual allocation shown in section 8.12 of this manual is the total amount that may be claimed for both intra-constituency and extra-constituency travel.

MHA-1 – Permanent Residence in Capital Region and District Outside Capital Region

Type of Travel	Transportation	Accommodations			Meals
		Secondary residence in District	Temporary accommodations	Private accommodations	
House in Session (commencement to adjournment of sitting) - Travel to district for constituency business	1 return trip per week - actual cost	Up to \$125/night (based on daily prorated amount) Maximum of 3 nights per trip	Up to \$125/night (with receipts) Maximum of 3 nights per trip	\$25/night (without receipts) Maximum of 3 nights per trip	\$50/day (without receipts & prorated for part days)
House not in Session - Travel to district for constituency business	Up to 20 return trips per year - actual cost	Up to \$125/night (based on daily prorated amount) Maximum of 35 nights per year	Up to \$125/night (with receipts) Maximum of 35 nights per year	\$25/night (without receipts) Maximum of 35 nights per year	\$50/day (without receipts & prorated for part days)
Intra-Constituency - Travel within district (see section 8.12 for allocations by district)	Actual cost of transportation	Up to \$125/night (based on a daily prorated amount)	Up to \$125/night (with receipts)	\$25/night (without receipts)	\$50/day (without receipts & prorated for part days)
Extra-Constituency (within allocations for intra-constituency travel)	Actual cost of transportation	N/A	Up to \$125/night (with receipts) except out of Province - actual cost (with receipts)	\$25/night (without receipts)	\$50/day (without receipts & prorated for part days)

Note:

In addition to the 3 nights per trip allowed when the House is in session and the 35 nights per year when the House is not in Session, once a Member is in his or her district, a Member may also avail of additional nights of accommodations, meals and travel under the intra-constituency travel allowance..

All amounts allowed above are subject to the restrictions as noted on page 8-25.

MHA-2 Permanent residence in District which is outside Capital Region

A Member whose permanent residence is in the district and the district is outside the Capital Region has been identified as MHA-2.

The sections of the Rules that relate to MHA-2 are included in this tab. These sections are:

- Section 31 House in Session - Travel to the Capital Region to attend sittings of the House
- Section 35 House not in Session - Travel to the Capital Region for constituency business
- Section 38 Intra-Constituency - Travel within the Constituency
- Section 39 Extra-Constituency Travel - Other travel related to constituency business

Subsections 29(1) and 31 (2) are included in this tab as they outline the restrictions on reimbursement for travel.

The **General Rules and Principles** for the travel and living allowance are included in sections 8.1 to 8.10 of this manual and must be read in conjunction with the specific rules for MHA-2.

In particular, Members must understand the following:

- In session - Definition- Section 28
- Accommodations - Definitions of Permanent and Secondary residence and Temporary and Private Accommodations - Section 28
- Secondary residence and Temporary accommodation expenses outlined - Section 41
- Modes of travel and requirements - Section 40

The Chart on the last page of this section provides a “snapshot” of the Rules that relate to claiming accommodations, meals and travel for a Member in this category.

The Chart is divided into the following sub-divisions: House in Session (section 31) House not in Session (section 35); Intra and Extra Constituency Travel (sections 38 and 39). Under each sub-division on the chart, a Member will note the allowable expenses for travel, accommodations and meals are shown.

House in Session - Travel to Capital Region to attend sittings of the House

31. (1) A member who travels from his or her permanent residence outside the Capital Region to temporary **[or private]**⁷ accommodation or a secondary residence in the Capital Region to attend a sitting of the House of Assembly may claim reimbursement for the following costs:
- (a) for each week or part of the week that the House of Assembly is in session the actual transportation cost of one return trip;
 - (b) for each day that the House of Assembly is in session, either,
 - (i) the actual cost of temporary **[or secondary residence]**⁸ accommodation, with receipts, up to a maximum of \$125 a night for every night the accommodations are actually occupied by the member, or
 - (ii) daily amount, without receipts, of \$25 when staying in private accommodation; and
 - (c) for each day that the House of Assembly is in session, a daily amount of \$50, without receipts, as a contribution to the cost of meals.

7 As referred to in Commission Directive 2007-002 - Travel and Living Allowances, subsection 31(1) of the schedule of Rules attached to the Act should be interpreted as if the words "or private" appeared after the word "temporary."

8 As referred to in Commission Directive 2007-005- Secondary Residence, subparagraph 31(1)(b)(i) should be interpreted as if the words "or secondary residence" appeared after the word "temporary."

House not in Session - Travel to Capital Region for constituency business

35. *A member who travels from his or her permanent residence that is outside the Capital Region to the Capital Region when the House of Assembly is not in session to attend to constituency business or other duties may claim reimbursement for the following costs*
- (a) the actual transportation cost of not more than 20 return trips per year;*
 - (b) the actual cost of 35 nights of either*
 - (i) with receipts, temporary **[or secondary residence]**⁹ accommodation in the Capital Region **[up to a maximum]**¹⁰ of \$125 a night for every night the accommodations are actually occupied by the member, or*
 - (ii) a daily amount, without receipts, of \$25 , when staying in private accommodation; and*
 - (c) without receipts, a daily amount of \$50 as a contribution to the cost of meals.*

9 As referred to in Commission Directive 2007-005 - Secondary Residence, paragraph 35 (b)(i) should be interpreted as if the words “or secondary residence” appeared after the word “temporary.”

10 As referred to in Commission Directive 2007-002 - Travel and Living Allowances, paragraph 35 (b)(i) should be interpreted as if the words “up to a maximum” appeared after the word “region.”

Restrictions on Reimbursement for Travel

29. (1) *A member may claim for a travel and living allowance only where the member*
- (a) is engaged in constituency business; and*
 - (b) is outside of commuting distance of the member's permanent residence.*

A Member may not claim for transportation, meals or accommodations for travel that is less than 60 km from the Member's permanent residence. Refer to section 8.2 (pages 8-4 and 8-5) for more information.

31. (2) *Where a member makes a claim for travel under paragraph (1)(a) or under paragraph 35(a) to return to his or her permanent residence or to his or her constituency, the member is not entitled to claim under paragraphs (1)(b) or (c) for the days associated with that travel.*

A Member cannot claim for meals or accommodations while traveling between his or her permanent residence outside the Capital Region to the Capital Region to:

1. attend sittings of the House (House in session)
2. for constituency business (House not in session)

Intra-Constituency travel

38. (1) *A member may be reimbursed in accordance with this section for reasonable travel, accommodation and meal expenses incurred while acting on constituency business within his or her constituency.*
- (2) *The allowance provided for in this section may include*
- (a) *the cost of transportation by motor vehicle, all-terrain vehicle, boat, snowmobile, fixed wing aircraft or helicopter, in accordance with section 40 [of the Rules];*
- (b) *the actual cost of temporary [or secondary residence]¹¹ accommodation, with receipts, up to a maximum of \$125 a night, or a daily amount, without receipts, of \$25 when staying in private accommodation; and*
- (c) *a daily amount of \$50, without receipts, as a contribution to the cost of meals.*
- (3) *The maximum amount in respect of an electoral district for which a member who represents that district may claim in a fiscal year for intra-constituency travel is the amount set out in Schedule A¹².*

In addition to the modes of travel as listed under section 8.4 of this manual (private vehicle, fixed wing aircraft, rental vehicle, ferry and bus), a Member may travel by these other means:

- All-terrain vehicle
- Boat
- Snowmobile
- Helicopter

Each Member is allocated a block fund to cover the costs of accommodations, meals and travel within his or her constituency.

The annual maximum intra-constituency amount for each electoral District is set out in section 8.12 of this manual.

11 As referred to in Commission Directive 2007-005 - Secondary Residence, paragraph 38(2)(b) should be interpreted as if the words "or secondary residence" appeared after the word "temporary."

12 Section 8.12 of this manual.

Extra-Constituency travel - Other travel

39. (1) A member may be reimbursed in accordance with this section for reasonable travel, accommodation and meal expenses incurred with respect to circumstances referred to in paragraphs 30(d),(e),(f) and (g).

A Member may claim for reasonable expenses for travel with respect to the following circumstances:

- Between constituency or Capital Region and another constituency on matters affecting the constituency; 30(d)
- To and from other parts of Canada where the purpose of the trip is directly related to constituency business; 30(f)
- For travel of a Constituency Assistant where it is necessary to attend to constituency business; 30(g)
- Attending conferences and training related to Member responsibilities; 30(e)

Reasonable travel, accommodations and meal expenses are the same as those in section 38 except for temporary accommodations for travel outside the Province, where actual costs will be reimbursed.

39. (2) The maximum amount that a member may claim in a fiscal year for extra-constituency travel is the amount unexpended on intra-constituency travel under section 38.

The maximum amount that may be claimed for extra-constituency travel is the amount unexpended under the intra-constituency allocation. Therefore, the maximum annual allocation shown in section 8.12 of this manual is the total amount that may be claimed for both intra-constituency and extra-constituency travel.

MHA-2 – Permanent Residence in District which is Outside the Capital Region

Types of Travel	Transportation	Accommodations			Meals
		Secondary Residence	Temporary accommodations	Private accommodations	
House in Session (commencement to adjournment of sitting) - travel to Capital Region for sittings	1 return trip per week - actual cost	Up to \$125/night (based on daily prorated amount)	Up to \$125/night (with receipts)	\$25/night (without receipts)	\$50/day (without receipts & prorated for part days)
House not in Session – travel to Capital Region for constituency business or other duties	Up to 20 return trips per year -actual cost	Up to \$125/night (based on daily prorated amount) Maximum of 35 nights per year	Up to \$125/night (with receipts) Maximum of 35 nights per year	\$25/night (without receipts) Maximum of 35 nights per year	\$50/day (without receipts & prorated for part days)
Intra-Constituency - travel within constituency - (see section 8.12 of this manual for allocations by district)	Actual cost of transportation	Up to \$125/night (based on daily pro-rated amount)	Up to \$125/night (with receipts)	\$25/night (without receipts)	\$50/day (without receipts & prorated for part days)
Extra-Constituency (within allocations for intra-constituency travel above)	Actual cost of transportation	N/A	Up to \$125/night (with receipts) except out of province – actual cost (with receipts)	\$25/night (without receipts)	\$50/day (without receipts & prorated for part days)

Note: All amounts allowed above are subject to the restrictions as noted on page 8-32.

MHA-3 Permanent residence and District within Capital Region

A Members whose permanent residence and district are within the Capital Region has been identified as MHA-3.

The sections of the Rules that relate to MHA-3 are included in this tab. These sections are:

- Section 32 House in Session - Travel to attend sittings of the House
- Section 36 House not in Session - Travel on constituency business within Capital Region
- Section 38 Intra-Constituency - Travel within the Constituency
- Section 39 Extra-Constituency Travel - Other travel related to constituency business

Subsections 29(1) and 29(5) of the Rules are also included in this tab. These subsections outline the restrictions on reimbursement for travel.

The **General Rules and Principles** for the travel and living allowance are included in sections 8.1 to 8.10 of this manual and must be read in conjunction with the specific rules for MHA-3.

In particular, Members must understand the following:

- In session - Definition- Section 28
- Accommodations - Definitions of Permanent and Secondary residence and Temporary and Private Accommodations - Section 28
- Secondary residence and Temporary accommodations expenses outlined - Section 41
- Modes of travel and requirements - Section 40

The Chart on the last page of this section provides a “snapshot” of the Rules that relate to claiming accommodations, meals and travel for a Member in this category.

The Chart is divided into the following sub-divisions: House in Session (section 32); House not in Session (section 36); Intra and Extra Constituency Travel (sections 38 and 39). Under each sub-division, the allowable expenses for travel, accommodations and meals are shown.

House in Session - Travel to attend sittings of the House

32. *(1) Where a member travels from his or her permanent residence that is within the Capital Region to attend a sitting of the House of Assembly that member is not entitled to claim reimbursement for that travel or for accommodation or meals associated with that travel.*

House not in Session - Travel on constituency business in the Capital Region

36. *(1) A member who maintains a permanent residence within the Capital Region is not entitled to claim for accommodation or meals while attending constituency business in the Capital Region.*

A Member is not entitled to claim for **meals and accommodations** while attending constituency business in the Capital Region if the Member's permanent residence is in the Capital Region.

Restrictions on Reimbursement for Travel

29. (1) *A member may claim for a travel and living allowance only where the member*
- (a) is engaged in constituency business; and*
 - (b) is outside of commuting distance of the member's permanent residence.*

A Member may not claim for transportation, meals or accommodation for travel that is less than 60 km from the Member's permanent residence. Refer to section 8.2 (pages 8-4 and 8-5) for more information.

29. (5) *A member shall not claim reimbursement for a travel or a living allowance relating to travel from his or her permanent residence to the Confederation Building complex where his or her permanent residence is located in the capital region.*

Intra-Constituency travel

38. (1) A member may be reimbursed in accordance with this section for reasonable travel, accommodation and meal expenses incurred while acting on constituency business within his or her constituency.
- (2) The allowance provided for in this section may include
- (a) the cost of transportation by motor vehicle, all-terrain vehicle, boat, snowmobile, fixed wing aircraft or helicopter, in accordance with section 40 [of the Rules];
- (b) the actual cost of temporary **[or secondary residence]**¹³ accommodation, with receipts, up to a maximum of \$125 a night, or a daily amount, without receipts, of \$25 when staying in private accommodation; and
- (c) a daily amount of \$50, without receipts, as a contribution to the cost of meals.
- (3) The maximum amount in respect of an electoral district for which a member who represents that district may claim in a fiscal year for intra-constituency travel is the amount set out in the Schedule.

In addition to the modes of travel as listed under section 8.4 (private vehicle, fixed wing aircraft, rental vehicle, ferry and bus), a Member may travel by these other means:

- All-terrain vehicle
- Boat
- Snowmobile
- Helicopter

Each Member is allocated a block fund to cover the costs of accommodations, meals and travel within his or her constituency.

The annual maximum intra-constituency amount for each electoral District is set out in section 8.12 of this manual.

It is important to note that section 38 of the Rules is a general section that applies to all intra-constituency travel. However, in the case of a Member whose permanent residence and district is within the Capital Region, section 36(1) applies and that section does not allow the Member to claim for meals or accommodations while attending constituency business in the Capital Region.

13 As referred to in Commission Directive 2007-005 - Secondary Residence, paragraph 38(2)(b) should be interpreted as if the words "or secondary residence" appeared after the word "temporary."

Extra-Constituency Travel - Other travel

39. *(1) A member may be reimbursed in accordance with this section for reasonable travel, accommodation and meal expenses incurred with respect to circumstances referred to in paragraphs 30(d),(e),(f) and (g).*

A Member may claim for reasonable expenses for travel with respect to the following circumstances:

- Between constituency or Capital Region and another constituency on matters affecting the constituency; 30(d)
- To and from other parts of Canada where the purpose of the trip is directly related to constituency business; 30(f)
- For travel of a Constituency Assistant where it is necessary to attend to constituency business; 30(g)
- Attending conferences and training related to Member responsibilities; 30(e)

Reasonable travel, accommodations and meal expenses are the same as those in section 38 except for temporary accommodations for travel outside the Province, where actual costs will be reimbursed.

39. *(2) The maximum amount that a member may claim in a fiscal year for extra-constituency travel is the amount unexpended on intra-constituency travel under section 38.*

The maximum amount that may be claimed for extra-constituency travel is the amount unexpended under the intra-constituency allocation. Therefore, the maximum annual allocation shown in section 8.12 of this manual is the total amount that may be claimed for both intra-constituency and extra-constituency travel.

MHA-3 – Permanent Residence and District within the Capital Region

Types of Travel	Transportation	Accommodations			Meals
		Secondary residence	Temporary accommodations	Private accommodations	
House in Session (commencement to adjournment of sitting) – travel to attend sittings of the House	\$0 for travel to Confederation Building	nil	nil	nil	nil
House not in Session – constituency business within the Capital Region	nil	nil	nil	nil	nil
Intra-constituency - travel within constituency (see section 8.12 of this manual for allocations by district)	Actual cost of transportation	nil	nil	nil	nil
Extra-constituency (within allocations for intra-constituency travel above)	Actual cost of transportation	N/A	Up to \$125/night (with receipts) except out of Province-actual cost (with receipts)	\$25/night (without receipts)	\$50/day (without receipts & prorated for part days)

Note: All amounts allowed above are subject to the restrictions as noted on page 8-38.

MHA-4 Permanent residence not in District or Capital Region

A Members whose permanent residence is not in the district or the Capital Region has been identified as MHA-4. The sections of the Rules that relate to MHA-4 are included in this tab. These sections are:

- Section 31 House in Session - Travel to the Capital Region to attend sittings of the House
- Section 33 House in Session - Travel to constituency
- Section 35 House not in Session - Travel to the Capital Region on constituency business or other Duties
- Section 37 House not in Session - Travel to constituency
- Section 38 Intra-Constituency - Travel within the Constituency
- Section 39 Extra-Constituency Travel - Other travel related to constituency business

Subsections 29(1), 29(6) and 31(2) of the Rules are also included in this tab. These subsections outline restrictions on reimbursement for travel.

The **General Rules and Principles** for the travel and living allowance are included in sections 8.1 to 8.10 of this manual and must be read in conjunction with the specific rules for MHA-4.

In particular, Members must understand the following:

- In session – Definition - Section 28
- Accommodations - Definitions of Permanent and Secondary residence and Temporary and Private Accommodations - Section 28
- Secondary residence and Temporary accommodations expenses outlined - Section 41
- Modes of travel and requirements - Section 40

The Chart on the last page of this section for MHA-4 provides a “snapshot” of the Rules that relate to claiming accommodations, meals and travel for a Member in this category.

The Chart is divided into the following sub-divisions: House in Session (sections 31 and 33); House not in Session (sections 35 and 37); Intra and Extra Constituency Travel (sections 38 and 39). Under each sub-division, the allowable expenses for travel, accommodations and meals are shown.

House in Session - Travel to Capital Region to attend sittings of the House

31. (1) A member who travels from his or her permanent residence outside the Capital Region to temporary **[or private]**¹⁴ accommodation or a secondary residence in the Capital Region to attend a sitting of the House of Assembly may claim reimbursement for the following costs:
- (a) for each week or part of the week that the House of Assembly is in session the actual transportation cost of one return trip;
 - (b) for each day that the House of Assembly is in session, either,
 - (i) the actual cost of temporary **[or secondary residence]**¹⁵ accommodation, with receipts, up to a maximum of \$125 a night for every night the accommodations are actually occupied by the member, or
 - (ii) daily amount, without receipts, of \$25 when staying in private accommodation; and
 - (c) for each day that the House of Assembly is in session, a daily amount of \$50, without receipts, as a contribution to the cost of meals.

14 As referred to in Commission Directive 2007-002 - Travel and Living Allowances, subsection 31(1) of the schedule of Rules attached to the Act should be interpreted as if the words "or private" appeared after the word "temporary."

15 As referred to in Commission Directive 2007-005- Secondary Residence, subparagraph 31(1)(b)(i) should be interpreted as if the words "or secondary residence" appeared after the word "temporary,"

House in Session - Travel to constituency

33. *A member who maintains a permanent residence outside the Capital Region in a location that is not in his or her constituency and the constituency is outside the Capital Region may, in addition to claiming reimbursement under subsection 31(1), claim reimbursement for the following additional costs while the House of Assembly is in session*
- (a) for each week or part of a week that the House of Assembly is in session, the actual transportation cost of one return trip to his or her constituency from either the Capital Region or from his or her permanent residence, whichever is the shorter distance, to attend to constituency business;*
- (b) for a maximum of three nights during a trip, either*
- (i) the actual cost of temporary [or secondary residence]¹⁶ accommodation, with receipts, in the constituency up to a maximum of \$125 a night actually spent in the constituency; or*
- (ii) a daily amount, without receipts, of \$25 when staying in private accommodation; and*
- (c) without receipts, a daily amount of \$50, as a contribution to the cost of meals*

In addition to the 3 nights allowed under 33(b), a Member may claim for additional travel under section 38 - intra-constituency for travel within the constituency.

Therefore, a Member whose permanent residence is not in the District can claim the following expenses related to travel to and within the district while the House is in session:

- House in session - The actual cost of 1 return trip from the Capital Region or his or her permanent residence (whichever is the shorter distance) to the district each week plus up to 3 nights accommodations and per diem meals
- The Member cannot claim for transportation, meals or accommodations for travel from the permanent residence to the district if the permanent residence is within 60 km of the district
- Once the Member arrives in the district, the Member can then avail of the Intra-constituency allocation for travel within the constituency. The annual allocation by district for intra-constituency allowance is included in section 8.12 of this manual

¹⁶ As referred to in Commission Directive 2007-005, Secondary Residence, paragraph 33 (b)(i) should be interpreted as if the words "or secondary residence" appeared after the word "temporary."

Example:

House in Session

A Member leaves the Capital Region on Thursday evening and travels to the permanent residence to stay Thursday night and returns to the Capital Region on Tuesday morning. He travels on constituency business to a community within his district that is greater than 60 km from the permanent residence and stays for 4 nights (from Friday to Monday, inclusive).

- Travel - The Member can claim the actual cost of transportation from the Capital Region or permanent residence to the district (whichever is the shorter distance). Once he or she is in district, the Member must then avail of the travel as allowed under intra-constituency travel. This allowance is a block funding annual allocation for travel, accommodations and meals within the district.
- Accommodations – The Member cannot claim for any accommodations allowance for stay at the permanent residence on Thursday night. The Member may avail of a maximum of 3 nights accommodations in the district as indicated under section 33. For the fourth night (Monday) spent in the district, he/she must avail of the block funding annual allocation for intra-constituency travel.
- Meals - The Member may claim a daily amount of \$50.

House not in Session - Travel to Capital Region for constituency business or other duties

35. *A member who travels from his or her permanent residence that is outside the Capital Region to the Capital Region when the House of Assembly is not in session to attend to constituency business or other duties may claim reimbursement for the following costs*
- (a) the actual transportation cost of not more than 20 return trips per year;*
 - (b) the actual cost of 35 nights of either
 - (i) with receipts, temporary **[or secondary residence]**¹⁷ accommodation in the Capital Region **[up to a maximum]**¹⁸ of \$125 a night for every night the accommodations are actually occupied by the member, or*
 - (ii) a daily amount, without receipts, of \$25 , when staying in private accommodation; and**
 - (c) without receipts, a daily amount of \$50 as a contribution to the cost of meals.*

17 As referred to in Commission Directive 2007-005 - Secondary Residence, paragraph 35 (b)(i) should be interpreted as if the words “or secondary residence” appeared after the word “temporary.”

18 As referred to in Commission Directive 2007-002 - Travel and Living Allowances, paragraph 35 (b)(i) should be interpreted as if the words “up to a maximum” appeared after the word “region.”

Restrictions on Reimbursement for Travel

29. (1) *A member may claim for a travel and living allowance only where the member*
- (a) is engaged in constituency business; and*
 - (b) is outside of commuting distance of the member's permanent residence.*

A Member may not claim for transportation, meals and accommodations for travel that is less than 60 km from the Member's permanent residence. Refer to section 8.2 (pages 8-4 and 8-5) for more information.

29. (6) *A member shall not claim reimbursement for a travel or a living allowance relating to travel from his or her permanent residence to his or her constituency where the permanent residence is outside the constituency but within commuting distance of the constituency.*

A Member may not claim for transportation, meals or accommodations for travel from the permanent residence (outside the district) to the district if the permanent residence is within 60 km of the district.

31. (2) *Where a member makes a claim for travel under paragraph (1)(a) or under paragraph 35(a) to return to his or her permanent residence or to his or her constituency, the member is not entitled to claim under paragraphs (1)(b) or (c) for the days associated with that travel.*

A Member cannot claim for meals or accommodations while traveling between his or her permanent residence outside the Capital Region to the Capital Region to:

1. attend sittings of the House (House in session)
2. for constituency business (House not in session)

House not in Session - Travel to constituency

37. *A member who maintains a permanent residence outside the Capital Region in a location not in the member's constituency and outside commuting distance of that constituency where that constituency is outside the Capital Region may, in addition to claiming reimbursement under section 35, claim reimbursement relating to travel and accommodation between his or her permanent residence and constituency for the following additional costs when the House of Assembly is not in session*
- (a) the actual transportation cost of up to 20 return trips between his or her permanent residence and his or her constituency, per year;*
 - (b) the actual cost of 35 nights of either
 - (i) with receipts, temporary [or secondary residence]¹⁹ accommodation the constituency up to a maximum of \$125 per night for every night the accommodations are actually occupied by that member; or*
 - (ii) without receipts, a daily amount of \$25 when staying in private accommodation; and**
 - (c) without receipts, a daily amount of \$50, as a contribution towards meals.*

In addition to the 35 nights allowed under 37(b), a Member may claim for additional travel under section 38 - Intra-constituency for travel within the constituency.

Therefore, a Member whose permanent residence is not in the District can claim the following expenses related to travel to and from the permanent residence to the district and within the district while the House is not in session:

- House not in session - The actual cost of 20 return trips per year plus up to 35 nights per year plus per diem meals.
- Once the Member arrives in the district, the Member can then avail of the intra-constituency block allocation for travel within the district.

¹⁹ As referred to in Commission Directive 2007-005 - Secondary Residence, paragraph 37 (b)(i) should be interpreted as if the words "or secondary residence" appeared after the word "temporary", such that paragraph 37(b)(i) reads

Example:

House Not in Session

A Member leaves his or her permanent residence on Monday morning and travels to the district and returns to the permanent residence on the Thursday morning of the following week. (10 nights in the district)

- Travel - The Member can claim the actual costs of transportation from the permanent residence to the district if the distance is greater than 60 km. Once he or she is in district, the Member must then avail of the travel as allowed under intra-constituency travel. This allowance is a block funding annual allocation for travel, accommodations and meals within the constituency.
- Accommodations - Once the Member is in the district, he or she could avail of 10 of the 35 night's accommodations available under section 37 or he or she may use the intra-constituency allowance to provide accommodations for the 10 days or a combination of both. In effect, on an annual basis, the Member can avail of 35 nights in the district as permitted under section 37 plus any other nights as long as he or she stays within the annual allocation for the intra-constituency allowance.
- Meals - The Member can claim a daily amount of \$50.

Intra-Constituency travel

38. (1) *A member may be reimbursed in accordance with this section for reasonable travel, accommodation and meal expenses incurred while acting on constituency business within his or her constituency.*
- (2) *The allowance provided for in this section may include*
- (a) *the cost of transportation by motor vehicle, all-terrain vehicle, boat, snowmobile, fixed wing aircraft or helicopter, in accordance with section 40 [of the Rules];*
- (b) *the actual cost of temporary [or secondary residence]²⁰ accommodation, with receipts, up to a maximum of \$125 a night, or a daily amount, without receipts, of \$25 when staying in private accommodation; and*
- (c) *a daily amount of \$50, without receipts, as a contribution to the cost of meals.*
- (3) *The maximum amount in respect of an electoral district for which a member who represents that district may claim in a fiscal year for intra-constituency travel is the amount set out in Schedule A²¹.*

In addition to the modes of travel as listed under section 8.4 of this manual (own vehicle, fixed wing aircraft, rental vehicle, ferry and bus), a Member may travel by these other means:

- All-terrain vehicle
- Boat
- Snowmobile
- Helicopter

Each Member is allocated a block fund to cover the costs of accommodations, meals and travel within his or her constituency.

The annual maximum intra-constituency amount in respect of an electoral District is set out in section 8.12.

20 As referred to in Commission Directive 2007-005 - Secondary Residence, paragraph 38(2)(b) should be interpreted as if the words "or secondary residence" appeared after the word "temporary."

21 Section 8.12 of this manual.

Extra-Constituency travel - Other travel

39. *(1) A member may be reimbursed in accordance with this section for reasonable travel, accommodation and meal expenses incurred with respect to circumstances referred to in paragraphs 30(d),(e),(f) and (g).*

A Member may also claim for reasonable expenses for travel with respect to the following circumstances:

- Between constituency or Capital Region and another constituency on matters affecting the constituency; 30(d)
- To and from other parts of Canada where purpose of trip is directly related to constituency business; 30(f)
- For travel of Constituency Assistant where it is necessary to attend to constituency business; 30(g)
- Attending conferences and training related to Member responsibilities; 30(e)

Reasonable travel, accommodations and meal expenses are the same as those in section 38 except for temporary accommodations for travel outside the Province, where actual costs will be reimbursed.

39. *(2) The maximum amount that a member may claim in a fiscal year for extra-constituency travel is the amount unexpended on intra-constituency travel under section 38.*

The maximum amount that may be claimed for extra-constituency travel is the amount unexpended under the intra-constituency allocation. Therefore, the maximum annual allocation shown in section 8.12 of this manual is the total amount that may be claimed for both intra-constituency and extra-constituency travel.

MHA-4 – Permanent Residence not in District or Capital Region

Type of Travel	Transportation	Accommodations			Meals
		Secondary residence	Temporary accommodations	Private accommodations	
<p>House in Session (commencement to adjournment of sitting) – travel to the Capital Region for sittings; and</p> <p>Travel to district for constituency business</p>	<p>1 return trip per week to Capital Region - actual cost</p> <p>1 return trip per week to constituency - actual cost to district from permanent residence or the Capital Region (whichever is shorter)</p>	<p>Up to \$125/night (based on daily prorated amount)</p> <p>Up to \$125/night (based on daily prorated amount) Maximum of 3 nights per trip</p>	<p>Up to \$125/night (with receipts)</p> <p>Up to \$125/night (with receipts) Maximum of 3 nights per trip</p>	<p>\$25/night (without receipts)</p> <p>\$25/night (without receipts) Maximum of 3 nights per trip</p>	<p>\$50/day (without receipts & prorated for part days)</p> <p>\$50/day (without receipts & prorated for part days)</p>
<p>House not in Session – travel to the Capital Region for constituency business</p> <p>Travel between permanent residence and district</p>	<p>Up to 20 return trips per year to the Capital Region -actual cost</p> <p>Up to 20 return trips per year from residence to district - actual cost</p>	<p>Up to \$125/night (based on daily prorated amount) Maximum of 35 nights per year</p> <p>Up to \$125/night (based on daily prorated amount) Maximum of 35 nights per year</p>	<p>Up to \$125/night (with receipts)Maximum of 35 nights per year</p> <p>Up to \$125/night (with receipts) Maximum of 35 nights per year</p>	<p>\$25/night (without receipts) Maximum of 35 nights per year</p> <p>\$25/night (without receipts) Maximum of 35 nights per year</p>	<p>\$50/day (without receipts & prorated for part days)</p> <p>\$50/day (without receipts & prorated for part days)</p>
<p>Intra-Constituency –travel within constituency – (see section 8.12 for allocations by district)</p>	<p>Actual cost of transportation</p>	<p>Up to \$125/night (based on daily prorated amount)</p>	<p>Up to \$125/night (with receipts)</p>	<p>\$25/night (without receipts)</p>	<p>\$50/day (without receipts and prorated for part days)</p>
<p>Extra-Constituency (within allocations for intra-constituency travel above)</p>	<p>Actual cost of transportation</p>	<p>N/A</p>	<p>Up to \$125/night (with receipts) except out of province-actual cost (with receipts)</p>	<p>\$25/night (without receipts)</p>	<p>\$50/day (without receipts & prorated for part days)</p>

Note:

In addition to the 3 nights per trip allowed when the House is in session and the 35 nights per year when the House is not in Session, for travel from permanent residence (or the Capital Region, whichever is shorter, when House is in Session) to the district, once a Member is in his or her district, a Member may also avail of additional nights of accommodations, meals and travel under the intra-constituency travel allowance.

All amounts allowed above are subject to the restrictions on travel as noted on page 8-47.

Section 8: Intra-Constituency Allowance

8.12 Intra-Constituency Allowance – Annual Allocation

Electoral District	Total
Baie Verte - Springdale	\$12,600
Bay of Islands	15,600
Bellevue	16,400
Bonavista North	12,600
Bonavista South	12,600
Burgeo - LaPoile	14,100
Burin - Placentia West	10,200
Cape St. Francis	9,000
Carbonear - Harbour Grace	9,600
Cartwright - L'Anse au Clair	49,200
Conception Bay East - Bell Island	9,600
Conception Bay South	9,000
Exploits	12,600
Ferryland	12,600
Fortune Bay - Cape La Hune	59,600
Gander	9,600
Grand Bank	15,000
Grand Falls-Windsor - Buchans	11,400
Grand Falls-Windsor - Green Bay South	9,000
Harbour Main	8,600
Humber East	7,900
Humber Valley	15,000
Humber West	10,200
Kilbride	9,000
Labrador West	9,600
Lake Melville	10,000
Lewisporte	11,500
Mount Pearl North	7,500
Mount Pearl South	7,500
Placentia - St. Mary's	14,400
Port au Port	8,500
Port de Grave	9,600
Signal Hill - Quidi Vidi	7,500
St. Barbe	12,600
St. George's - Stephenville East	9,600
St. John's Centre	7,500
St. John's East	7,500
St. John's North	7,500
St. John's South	7,500
St. John's West	7,500
Terra Nova	12,800
The Isle of Notre Dame	12,300
The Straits - White Bay North	12,600
Topsail	7,500
Torngat Mountains	45,900
Trinity - Bay de Verde	10,800
Trinity North	10,200
Virginia Waters	7,500
Total	<u>\$626,400</u>

9.0 Constituency Allowance

This allowance provides for other types of expenses (not provided for under a specific allowance) that a Member may legitimately incur from time to time while on constituency business.

The annual allocation for each district is \$3,000 (\$2,630, net of HST). This amount will be prorated for a Member who is elected part way through a fiscal year.

Section 46 Types of expenses that may qualify and those that will not qualify for reimbursement.

Section 47 Circumstances required for reimbursement - non-partisan, not an associated person, etc.

The purpose of the expense must be related to constituency business in order to be reimbursed.

Section 9: Constituency Allowance

9.1 Expenses Related to Constituency Work

46. (1) *A member is entitled to be reimbursed for his or her constituency expenses necessarily incurred by that member to carry out his or her constituency business.*
- (2) *The maximum amount in respect of each electoral district for which the member from that electoral district may be reimbursed from the constituency allowance in each fiscal year shall not exceed \$3000.*

Expenses which may be reimbursed:

46. (3) *The following expenses necessarily incurred by a member to carry out his or her constituency business may be reimbursed*
- (a) meals or the bulk purchase of food, non-alcoholic beverages and other supplies for meetings with constituents or other members of the public in relation to constituency business, and meals and non-alcoholic beverages on other constituency related occasions;*
 - (b) memberships in community or other organizations;*
 - (c) equipment not provided by the House;*
 - (d) magazine, newspaper and journal subscriptions;*
 - (e) travel, accommodations, meals and registration fees for conferences and training courses for the member or Constituency Assistant if approved by the speaker;*
 - (f) expenses associated with attending at meetings and hearings involving advocacy on behalf of a constituent; and*
 - (g) other categories of items as directed by the commission.*

Expenses for memorial wreaths may also be claimed for reimbursement. A directive has been issued (CD 2007-005) to include this expense.

Section 9: Constituency Allowance

Directive - (2007 - 005) - Memorial Wreaths

CD 2007 - 005

Pursuant to paragraph 46(3)(g) of the Members' Resources and Allowances Rules, the Commission hereby authorizes and directs that the following expense necessarily incurred by a member to carry out his or her constituency business may be reimbursed: Memorial Wreaths used to commemorate veterans and others who served in the armed forces, peace officers, workers killed on the job or who died as a result of work-related illness, and similar commemorations of a public nature.

Section 9: Constituency Allowance

Expenses which shall not be reimbursed:

46. (4) *The following types of expenses shall not be reimbursed*
- (a) the acquisition, creation or distribution of anything that uses or includes a word, initial, or device that identifies a political party;*
 - (b) artwork including paintings, prints, sculptures, carvings and crafts;*
 - (c) alcoholic beverages, either individually or in bulk;*
 - (d) sponsorship of individuals or groups;*
 - (e) donations;*
 - (f) raffle tickets;*
 - (g) hospitality, except for meetings referred to in paragraph (3)(a);*
 - (h) gifts;*
 - (i) items, services or activities of a personal nature, including clothing and laundry expenses,*
 - (j) travel costs for constituents;*
 - (k) travel costs for spouses or dependants;*
 - (l) financial assistance for constituents; and*
 - (m) those other items directed by the commission.*

If a Member is unsure whether an item is eligible for reimbursement, contact the Corporate and Members' Services Division for clarification before incurring the expense.

Section 9: Constituency Allowance

46. *(5) A member, in his or her capacity as a member, shall not make a donation or gift, whether of a charitable nature or not, to any person, group or community except as may be contemplated by subsection (3) and section 27.*

(6) Where a member makes a donation or gift, whether of a charitable nature or not, in a personal capacity, the member shall, in making the donation or gift, stipulate that any acknowledgment of the donation or gift shall not identify him or her as a member.

Members are permitted to:

- Provide meals, bulk purchases of food, non-alcoholic beverages and other supplies for meetings with constituents; and
- Provide pins, certificates, flags, etc. to constituents and others as provided by the House.

When a Member makes a personal donation or gift, he or she must do so without reference to the fact that he or she is a Member of the House. Any donation must be made in a personal capacity only.

If there is to be a public acknowledgement of the donation, the Member must stipulate that there is to be no reference in the acknowledgement that he or she is a Member of the House or a Member of a political party.

Section 9: Constituency Allowance

47. (1) *An expense of a type listed in subsection 46(3) may not be reimbursed if*
- (a) it is not directly connected with the member's responsibilities as a member in relation to the ordinary and proper representation of constituents and the public;*
 - (b) it is incurred in relation to partisan political activities or promotion; or*
 - (c) one or more of the following persons has a financial interest in the contract or other arrangement under which the expense is incurred or in a corporation that has a financial interest in the contract or other arrangement under which the expense is incurred*
 - (i) the member,*
 - (ii) an associated person in relation to the member,*
 - (iii) another member,*
 - (iv) the spouse or child of another member.*
- (2) Notwithstanding subsection (1), an expense of a type listed in subsection 46(3) may be reimbursed in the circumstances described in subsection (1) where the reimbursement is specifically approved and directed by the commission.*

This section identifies types of expenses that are **not acceptable** from this allowance. Although the expense item may be included in subsection 46(3), the item cannot be claimed if the expense is incurred in relation to any of the circumstances as listed under this section.

The definition of an associated person is a person who is not at arm's length, a related person and an associated corporation, within the meaning of the *Income Tax Act*.

10.0 Committee Allowance

45. *(1) A member who is a member of a Standing or Special Committee of the House of Assembly, or the commission, may claim for expenses related to attendance at a committee or a commission meeting when that meeting is held during an intersessional period.*

(2) Expenses claimed by a member under subsection (1) shall be approved by the Speaker before that expense is reimbursed to the member.

This section relates to expenses that may be claimed for attending meetings of Standing and Special Committees and meetings of the House of Assembly Management Commission.

Members of these committees may only claim for travel expenses related to these meetings if the House is not in session.

The rates for transportation, accommodations and meals are those rates that are included under the Travel and Living Allowance. Therefore, a Member may claim:

- Actual costs of transportation up to a full economy air fare (where applicable)
- Secondary residence - based on daily pro-rated amount
- Temporary accommodations - Actual cost up to \$125 per night
- Private accommodations - \$25 per night
- Meals - Up to \$50 per day (prorated for part days)

In addition to reimbursement of travel expenses, a Member may claim a daily amount for attendance at meetings when the House is not in session.

Section 12(3) of the Act states that *"A member who sits on a committee of the House of Assembly, the commission or a committee of the commission may be paid, subject to the conditions and limitations prescribed by the commission, a daily amount of not more than \$200 for attendance at meetings plus reimbursement of reasonable expenses in relation to such attendance when the House is not in session."*

All claim forms must be approved by the Speaker before forwarding to the Corporate and Members' Services Division for processing.

A copy of the applicable claim form - General Expense Claim - and instructions for completion are included in section 5.4.

11.0 Directives of the Commission

**12.0 Schedule of Rules - *House of Assembly,
Accountability, Integrity and Administration Act***