

# House of Assembly Management Commission Regulations

## ANNOTATED

*Last Revised November 2, 2017*

Approved June 9, 2010

amended July 7, 2010; September 28, 2010; October 19, 2010; January 11, 2011; April 27, 2011;  
December 19, 2012; January 29, 2013; May 30, 2013; August 14, 2013; December 19, 2013;  
February 27, 2014; July 10, 2014; January 15, 2015; March 3, 2015; September 10, 2015;  
July 28, 2016; November 29, 2016; April 4, 2017

### Citation

**1** These Regulations may be cited as the *House of Assembly Management Commission Regulations*.

### Purpose

**2** The purpose of these Regulations is

(a) to provide resources to members to assist them in fulfilling their public duties and responsibilities as members, 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.

### Interpretation

**3 (1)** In these Regulations, unless otherwise provided,

(a) "Act" means the *House of Assembly Management Commission Act*;

(b) "associated person" means a person who does not deal with the member at arm's length as provided by the *Income Tax Act* (Canada);

(ba) "barrier-free requirements" means the barrier-free access and design requirements applicable to offices under the *Nova Scotia Building Code Regulations*, as amended from time to time;

(c) "Clerk" means the Chief Clerk of the House;

(d) "member" means a member of the House;

(e) "outside member" means an outside member as defined by the *House of Assembly Act*;

(f) "recognized party" means a party that is represented by two or more members and is a recognized party in accordance with the *Elections Act*;

(g) "year" means the fiscal year of the Province as defined in the *Finance Act*.

(2) Other words and expressions have the same meaning as in the *House of Assembly Management Commission Act* and the *House of Assembly Act*.

(3) For the purpose of clause 19B(2)(b) and subsections 27(3) and 43(1), (3) and (6), a member ceases to be a member at the end of the month in which

- (a) the member dies or resigns; or
- (b) an election is held for the member's electoral district if the member does not re-offer or is defeated.

(4) For the purpose of subsection 43A(3), a person becomes a member at the beginning of the month in which the election, at which the person was elected, was held. amended January 11, 2011; August 14, 2013; July 28, 2016.

## EXPENSE CLAIMS

### Principles

4 (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 Regulations must

- (a) be submitted and made in accordance with the intent and purpose of the Act and these Regulations;
- (b) be documented and supported in accordance with generally accepted accounting principles;
- (c) not relate to political parties' activities; and
- (d) not give or relate to a personal benefit to any member or an associated person of a member.

(2) Subject to directives and approval of the Commission, the Clerk and staff of the House shall 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.

(3) The policies and procedures referred to in subsection (2) must be included in a manual.

(4) The Commission shall periodically 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.

### Presumptions

5 (1) Where the Commission makes a direction or requires an action, that direction or requirement must be made in writing or evidenced by written minutes of the proceedings or decision of the Commission.

(2) Where in these Regulations an expense claim is permitted, that claim must be made for the time and amount permitted under these Regulations or as directed or limited by the Commission.

(3) Where the Clerk or Speaker makes a ruling that approves additional expenditures greater than that authorized under these Regulations, the Clerk or Speaker shall report the approval at the next meeting of the Commission and a notation of that approval must be recorded in the minutes of the Commission.

### **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 Regulations.

(2) A member is not relieved of the member's responsibility under subsection (1) because

(a) the member has delegated that responsibility to a constituency assistant or another person; or

(b) a claim has been accepted for payment by an official of the House or has been paid.

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

(4) A member is responsible for maintaining appropriate records as prescribed in the operating and procedures manual, operating the member's constituency office and engaging and training support staff in a manner that will facilitate compliance with the Act, the Regulations, directives and the manual.

(5) A member

(a) who is entitled to claim reimbursement under the Act and these Regulations for expenses or for daily amounts or mileage in accordance with any policies relating to ministers, ministerial assistants or other officers; and

(b) engages in activity or 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 wherever such expenditures are easily identifiable, but in no case shall submit claims from two sources for any individual expenditure.

### **Restrictions on claims**

7 (1) A claim for a payment or reimbursement must be made in respect of the year in which the expenditure was made or incurred, and must be submitted and received by the Clerk not more than ninety days after the end of that year.

(2) An expenditure is considered to have been made or incurred when the goods and services to which that expenditure relates have been received.

(3) Subject to subsection (1), a claim for payment or reimbursement may not be made more than six months after the date on which the expenditure was made.

(4) Subject to subsections (1) and (3), a claim for payment of travel expenses may include the period between the date of the election at which the member was elected and the date the member became a member. amended December 19, 2012; February 27, 2014.

### **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 year, the member is personally responsible for payment of that expenditure unless it amounts to a pre-commitment of expenditure in a future year that is authorized by directive or minutes 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

(a) the claim should not have been paid or honoured because it was in excess of the maximum allowed for that category of expenditure; or

(b) the claim was paid in error,

the member is liable for repayment of the over-payment and must, upon request, immediately pay the amount due to Her Majesty in right of the Province.

(3) A request pursuant to subsection (2) must be made within six months of the claim being paid or honoured.

(4) A member is personally responsible for and cannot claim for payment or reimbursement for the payment of late fee charges by vendors on overdue accounts or overdraft interest charges by financial institutions. amended May 30, 2013; January 15, 2015.

### **Records**

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

(a) expenditures made or committed; and

(b) claims made,

by the member, 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 and any other auditor employed by the Commission on behalf of the House.

(3) A member shall retain these records until the end of three years after the member ceases to be a member.

### **Monthly reports**

**10** (1) Before the twenty-first of each month, the Clerk shall prepare and provide to each member a written report outlining for the preceding month

(a) all reimbursements made to the member; and

(b) all payments made on the member's behalf as authorized by the member,

together with

(c) a statement highlighting the total amount spent by the member during the current year in each category of claim;

(d) the amount in each category that remains unspent or uncommitted for the current year; and

(e) a detailed report of expenditures for that month, sorted by expense category, that reconciles with the reimbursements and payments referred to in clauses (a) and (b).

(2) The expenditure amount permitted for a year is considered to be allocated in equal monthly amounts throughout the year.

(3) A member may request approval of the Speaker to make expenditures in advance for ongoing considerations, such as the purchase of advertising that is repeated over a period of months, or for the purchase of a block of flights if savings will result.

(4) The Clerk shall advise the Speaker and a member whenever the amount spent by that member, expressed as a percentage of the total allowable expenditure permitted for that year, is in excess by more than ten per cent of the amount permitted for the portion of the year that has elapsed.

(5) An electronic system accessible by a member from which the member may obtain the information required under subsection (1) satisfies the requirements of that subsection.

### **Statements**

**11** (1) Twice in each year the Clerk shall prepare a statement detailing individual expenditures, including the date, description and amount of the transaction, and summarizing by category of expenditure the amounts paid in respect of which claims were made and paid 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 twenty-one days, or such further time as the Speaker may permit due to extenuating circumstances, 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 the member has with respect to its accuracy.

(4) Failure to respond to the statement within the time specified under subsection (3) is deemed to be an acceptance by the member of its accuracy.

(5) A statement prepared under this Section that is sent by ordinary mail is deemed to have been received ten days after it has been mailed.

(6) Where an objection is filed by the member, the Clerk shall communicate with the member to resolve the issues identified and, where resolved, revise the statement accordingly.

(7) Where the member and the Clerk cannot reach an agreement on the issues identified, the objection must be filed with the Commission for its review and decision within forty-five days of receipt and the Clerk shall revise the statement in accordance with the decision.

(8) Sections 12 and 13 apply only to the revised statement.

#### **Public access to statements**

**12** After the expiration of the time referred to in subsection 11(3) and, where an objection is filed pursuant to subsection 11(6), upon resolution and approval of a revised statement, a member shall

(a) file a copy of the statement and that copy must be kept on file in the member's constituency office, or in the member's residence if the member does not maintain a constituency office; and

(b) make a copy of the statement available for inspection by any person within ten days of receiving the request for inspection.

#### **Speaker requirements**

**13 (1)** The Clerk shall maintain and file a copy of statements prepared under Section 11 in the Office of the Speaker and make them available for inspection by any person within a reasonable time after a request by that person for inspection.

(2) The Clerk shall post for public access and inspection a copy of each statement on a website maintained and operated by or on behalf of the Office of the Speaker as soon as a system is in place so to do.

(3) A statement prepared under Section 11 need not be maintained by the member or the Clerk for public inspection after five years following the end of the year to which the statement relates.

#### **Disagreement with Clerk decision**

**14 (1)** 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)

(a) must be made not more than thirty days or, where circumstances warrant, forty-five days after receipt of the member's appeal by the Commission; and

(b) is final,

and the decision and reasons for that decision must 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.

#### **Documentation**

**15 (1)** A member shall claim payment or reimbursement in respect of an expense or an allowance in the manner and on the forms prescribed by the Clerk or the Commission or as directed by the Commission.

(2) A form prescribed by the Clerk or the Commission must contain a provision whereby the member is required personally to certify that the expenses to which the claim relates were actually incurred in compliance with the Act, these Regulations and applicable directives of the Commission.

(3) A member's claim may 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, may not be paid unless it is supported by the original invoice together with a signed receipt or other instrument evidencing payment, such as a credit card or debit card voucher or cancelled cheque.

(4A) A member's claim for payment or reimbursement in respect of an expense for placing an advertisement or communication must include for

(a) a printed advertisement, in a newspaper or magazine, on a banner, in a pamphlet or some other like medium, the copy of the proof provided by the member for publishing;

(b) an advertisement in an electronic publication such as a website, television or newsletter, a printed copy of the electronic page where the advertisement appeared showing the name of the publication; and

(c) an audio advertisement a transcript of the spoken words.

(4B) Notwithstanding subsection (4A) where a member is unable to provide the supporting documentation, the member may submit a claim providing reasons for the absent documentation and personally undertake to provide the supporting documentation as soon as it becomes available.

(5) Where an original document is unavailable, a copy, photocopy, faxed copy, electronic 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.

(6) Where a member makes a claim for an accommodation expense for the rental of apartment, no original invoice is required so long as proof of payment and a copy of the lease for the apartment are submitted.

(7) The copy of the lease must be submitted at the beginning of the lease period and at each renewal or upon any change in the rental rate. amended May 30, 2013.

### **Processing of claims**

16 (1) 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.

(2) Wherever possible, the Office of the Speaker shall ensure re-imbusement to the member for an expense claim within seven days of receipt.

## CONSTITUENCY OFFICES

### **Eligibility for office expenses**

**17** A member may seek reimbursement for the provision of eligible office expenses in order to conduct the member's constituency business as a component part of eligible constituency expense.

### **Eligibility for constituency office accommodation**

**18 (1)** Subject to Section 43, the constituency office accommodation expenditure referred to in Section 17 includes accommodation expenses, for or 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 cleaning supplies;
- (g) maintenance, snow removal, sanding, salting and parking, if not covered in the lease agreement;
- (h) necessary renovations or a necessary move to respond to municipal, provincial and federal regulation respecting the provision of a safe, healthy and accessible workplace and public space;
- (ha) a constituency office accommodation move if necessary to respond to requirements set out in these Regulations respecting constituency office space; and
- (i) signage identifying the office as the member's constituency office without any reference to a political party.

**(2)** The Commission shall engage the Department of Transportation and Infrastructure Renewal to

- (a) assess each constituency office lease;
- (b) provide advice on appropriate renewal terms; and
- (c) transition the leasing arrangement to allow for direct payment from Her Majesty in right of the Province to the lessor as soon as possible,

and the Department shall correspondingly take on responsibility for property management not included in the lease including, without limiting the generality of the foregoing, snow removal.

**(3)** A member, who is unable to establish and operate an office to adequately serve the member's constituents, may claim expenses for the rental of meeting rooms.

**(4)** A member, who has a constituency office, may also claim expenses for the rental of meeting rooms.

**(5)** A member may not use a constituency office for or to further partisan political activities.

(6) Following a general election or by-election, a new member who was not a member in the preceding General Assembly of the House is, in addition to the constituency office accommodation funding, entitled to claim amounts associated with the start-up of the member's office in an amount of not more than \$2,550.00 to defray expenses as may be determined by the Commission.

(7) A member may make arrangements with the Office of the Speaker for it to pay directly any regular recurring payment and charge the member's constituency account.

(8) Rules regarding the implementation of arrangements described in subsection (7) must be included in the policy and procedure manual. amended November 29, 2016.

### **Nature and location**

19 (1) The member shall research and locate appropriate office space using the Department of Transportation and Infrastructure Renewal as a resource, such space to include not less than

- (a) a private area for the member;
- (b) space for a constituency assistant;
- (c) a waiting area;
- (d) access to public washrooms; and
- (e) a separate meeting room if possible.

(2) The space should be wheelchair accessible and on a public transit route if possible.

(3) The space must comply with the barrier-free requirements as provided in Section 19A.

(4) No member may be reimbursed for constituency office accommodation expenses for constituency office space that does not comply with the barrier-free requirements as provided in Section 19A except as permitted under that Section. amended October 19, 2010; August 14, 2013.

### **Barrier-free requirements**

19A (1) The constituency office space of a member who is elected at or after the next general election must comply with the barrier-free requirements within 12 months after the member is elected.

(2) Notwithstanding subsection (1), where a member

- (a) is elected at the next general election;
- (b) was a member immediately before that election; and

(c) is continuing to occupy constituency office space used by the member immediately before that election,

the space must comply with the barrier-free requirements within 36 months after the member is elected.

(3) Where the constituency office space of a member, or the office space that a member proposes to occupy as constituency office space, does not comply with the barrier-free requirements, the Commission may, after consultation with the Department of Transportation and Infrastructure Renewal, waive compliance with the barrier-free requirements to the extent that the Commission considers the non-compliance to be merely technical in nature.

(4) Notwithstanding subsections (1) and (2), temporary constituency office space that does not comply with the barrier-free requirements may be leased for a member for up to 12 months if

(a) the member prepares a compliance plan using the Department of Transportation and Infrastructure Renewal as a resource, setting out how the member will, within 12 months of the date of the plan, arrange for constituency office space that complies with the barrier-free requirements;

(b) the member files the compliance plan with the Speaker's Administration Office;

(c) the Speaker, after consultation with the Department, determines that the compliance plan is likely to result in the member being able to arrange for constituency office space that complies with the barrier-free requirements; and

(d) the space is leased on a month-to-month basis.

(5) Where the constituency office space of a member who files a compliance plan with the Speaker's Administration Office fails to comply with the barrier-free requirements within 12 months of the date of the plan, the member must provide the Speaker with an explanation of why the compliance plan did not work and, where the Speaker, after consultation with the Department of Transportation and Infrastructure Renewal, finds the explanation to be reasonable, the member may file another compliance plan under subsection (4).

(6) A compliance plan that is filed with the Speaker's Administration Office is a public document and must be posted on the House of Assembly's website. amended August 14, 2013.

***By resolution of the Commission: waived the compliance requirement of 6 MLAs on the basis that the non-compliance was technical in nature as confirmed by the Department of Transportation and Infrastructure Renewal. [January 15, 2015]***

### **Leasing requirements**

**19B (1)** The agreed rent for constituency office space must be at fair market rates for similar space in the area, which must be confirmed in writing by the Department of Transportation and Infrastructure Renewal.

(2) A lease contract for constituency office space must

(a) be prepared between "Her Majesty the Queen in right of the Province of Nova Scotia, represented by the Honourable the Speaker of the House of Assembly" and the owner of the office space or an authorized agent of the owner; and

(b) subject to subsection (3), stipulate that the lease is terminable within three months after the member ceases to be a member.

(3) A lease contract that does not comply with clause (2)(b) may be entered into if required to obtain constituency office space that complies with the barrier-free requirements.

(4) A member who was not a member in the preceding session of the House must utilize the previous member's constituency office if the office was built or leased under a lease that does not comply with clause (2)(b), unless the office is in a location that is, in the opinion of the Speaker, unsuitable for the new member. amended August 14, 2013.

### **Renting from associated person**

20 (1) A lease of office accommodation for a member may not be entered into with a landlord who is an associated person of the member.

(2) Subject to subsection 19B(4) and notwithstanding subsection (1), a member may operate a constituency office from the member's residence in the member's constituency if permitted under Section 19A, but is not entitled to claim reimbursement by way of rent or charge for the use of the space in, or the cost of any renovations to, the member's residence. amended October 19, 2010; August 14, 2013.

### **Office operations, supplies and communications**

21 (1) Subject to Section 43, a member may claim expenses to cover the costs of operating a constituency office including expenses for

- (a) office supplies;
- (b) printing;
- (c) photocopies;
- (d) newspapers, including subscriptions to on-line publications;
- (e) telephones, facsimile machines and answering machines or services;
- (f) staff professional development;
- (g) database maintenance;
- (h) advertising, including constituency office hours, contact telephone numbers for the member, email addresses, notices of constituency meetings and advertising messages of welcome or congratulations;
- (ha) advertising employment opportunities for constituency assistants;
- (i) constituency communications including
  - (i) business cards,
  - (ii) greeting, sympathy or holiday cards to be sent to constituents or others relating to the member's constituency work,
  - (iii) supplies to create certificates, including specialized paper, document holders or framing, and
  - (iv) the dissemination of information, that meets the standard of parliamentary language, directed to the member's constituents in the form of constituency newsletters and flyers, a website or any other medium, including website design and hosting;
- (j) rental of the office space and those expenses authorized in Section 18;

(ja) no more than four constituency open houses annually with the annual cost of the total number of open houses, other than the advertising costs for the event, not exceeding ten per cent of the monthly amount allowed under subsection 43(3);

(k) two tickets to any event related to the member's constituency work, but not events related to the member's political party;

(l) where required and approved by the Commission, the services of part-time constituency assistants, or summer students, to be compensated on the payroll system of Her Majesty the Queen in right of the Province through the Office of the Speaker; and

(m) any other items, including office equipment, directed by the Commission.

(2) The expenses claimed pursuant to clause (1)(k) for attendance at an event may include fund-raising dinners where a portion of the ticket price is allocated as a charitable donation but

(a) where a charitable donation receipt is issued, it must be marked void and filed with the member's records; and

(b) in no case, shall a member claim the donation as a tax deduction or credit.

(3) Advertising may not include solicitations of membership in or monetary contributions to any political party or notices of political-party meetings and other political-party events. amended September 28, 2010; July 10, 2014; July 28, 2016.

***By resolution of the Commission: all part-time CA's or summer students working at constituency offices currently, including those that may be on current payroll of those offices but not having been called for work in the past month, be pre-approved by the Commission under Section [clause] 21(1)(1). [of the Regulations] [June 9, 2010]***

***By resolution of the Commission: Members with written advertising contracts in effect as at April 1, 2010 which cost in excess of 10% of the monthly constituency allowance cap on advertising, would be allowed to continue as approved by the L.I.E.B. [July 7, 2010]***

***By resolution of the Commission: administration staff utilize the date of the invoice for an advertising expense for the purpose of recording advertising for a month. This motion is considered to be a directive of the Commission. [Directive #2] [July 7, 2010; amended September 28, 2010]***

***By resolution of the Commission: authorized the Clerk under Section 21(1) of the Regulations to approve identified expenditures [the engaging of part-time constituency assistants or summer students] on behalf of the Commission so long as the member has appropriate funds in his or her budget to cover such services. [May 19, 2011]***

***By resolution of the Commission: staff may include bank fees, Interac fees, money order fees, cheque order costs and similar payments as allowable expenses directed by the Commission under clause 21(1)(m) [October 19, 2010]***

***By resolution of the Commission: a member is permitted to have an annual constituency open house at a cost of no more than ten per cent of the amount allowed under subsection 43(3) for***

*the month in which the open house occurs. The cost of advertising the open house is not included in the allowance for the open house. [October 19, 2010]*

*By resolution of the Commission: Clause 21(1)(k) - one ticket for MLA to be reimbursed and a second ticket reimbursed for same event when ticket is for constituency assistant or another staff to attend at request of MLA. [January 11, 2011]*

### **Donations**

**22** Subject to Section 43, a member is entitled to be reimbursed for donations if they consist of

- (a) memberships in community or other service organizations, not to exceed \$510.00 per membership per annum; and
- (b) certificates, cards, plaques, frames for certificates and such other items as the Commission may, by directive, approve to allow members to commemorate and recognize significant events within a constituency and in the lives of constituents. amended July 10, 2014.

### **Standard office allocation**

**23 (1)** Subject to Section 43, a member is entitled to acquire, as assets of Her Majesty in right of the Province, and seek reimbursement for office furniture, equipment and services for the member's constituency office based on a standard office allocation approved by directive of the Commission and may include

- (a) authorized office furniture and equipment described in an approved list;
- (b) telephone and facsimile services;
- (c) computer equipment described in an approved list;
- (d) backup drives;
- (e) personal data-communication devices and services;
- (f) photocopier, printer and scanner services;
- (g) Internet services and cable television; and
- (h) other items that may be approved by a directive of the Commission.

**(2)** All purchases within the standard office allocation remain the property of the Her Majesty in right of the Province and must be identified by appropriate markings as assets of Her Majesty in right of the Province.

**(3)** A member may not personally fund, in whole or in part, the purchase of assets of Her Majesty in right of the Province.

**(4)** The Clerk shall maintain and update an inventory report of all assets of Her Majesty in right of the Province entrusted to each member, being assets acquired after October 27, 2009.

**(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 the member's inventory report.

(6) Assets required to be marked in accordance with subsection (2) must be disposed of in accordance with the applicable asset disposal directives issued by the Department of Transportation and Infrastructure Renewal and by the Chief Information Officer, or any other department responsible and any other person responsible for making asset disposal directives.

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

(8) The member shall return the item to the House to be disposed of or otherwise comply with the Clerk's directions, at which time the item will be removed from the member's inventory.

(9) When disposing of computing devices, the member may exercise one of the following options:

(a) repurchase the device at the then fair-market value as determined by the Clerk or a person designated by the Clerk, for the item; or

(b) allow the item to be disposed of in accordance with the asset disposal process.

(10) A new member shall utilize the furniture, furnishings and equipment utilized by the outgoing member for that constituency, that are assets of Her Majesty in right of the Province, if they are readily available to the new member and are of reasonable quality and state of repair as determined by the new member.

(11) Where a new member wishes to have a House asset replaced from the outgoing member's standard office allocation, the member shall submit a request to the Clerk identifying the item and stating the reason for the request and the Clerk shall determine whether the asset should be replaced.

(12) Where an asset is to be replaced, the member shall follow the asset disposal process or otherwise comply with the Clerk's directions, whereupon the member is entitled to acquire a replacement item.

(13) *repealed April 4, 2017.*

amended October 19, 2010; July 10, 2014; January 15, 2015; April 4, 2017.

***By resolution of the Commission: the furniture and equipment list for Members' constituency offices as prepared by the Clerk and circulated at the meeting would be approved as an interim measure and that additional changes would be considered at the next Commission meeting. [Directive #1] [July 7, 2010]***

***By resolution of the Commission: expenses pursuant to clause 23(1)(h) include small appliances such as kettle, drip coffee maker, toaster oven to a maximum of \$50.00 and large appliances such as mini fridge, microwave, heater, dehumidifier, water cooler, vacuum to a maximum of \$200.00 [May 30, 2013].***

**Support staff**

**24 (1)** A member is entitled to engage the services of one full-time constituency assistant or the full-time equivalent.

**(2)** The Commission shall, by directive, set the salaries and benefits for constituency assistants.

**(3)** An employment contract of a constituency assistant must be in a form authorized by the Commission and be between the member and the constituency assistant.

**(4)** Constituency assistant salaries and benefits must be paid directly to constituency assistants by the Office of the Speaker, pursuant to the pay levels and benefits as exist as at March 1, 2010, until altered by directive of the Commission.

**(5)** Where the constituency assistant attends training, a meeting or event on behalf of the member, or carries out an activity that is necessary for the operation of the member's constituency office, at the member's request,

(a) the constituency assistant may present a claim for mileage, accommodation and meals at the rate specified for civil servants;

(b) the claim must be signed by the member indicating the member's approval of the travel and the expenditure on the member's constituency account; and

(c) the claim must be submitted to the Office of the Speaker for disbursement directly to the constituency assistant.

**(6)** Where a member considers it necessary to engage a temporary replacement for a constituency assistant due to vacation, illness, or other temporary absence, the member may do so upon notice to the Office of the Speaker and completion of the appropriate forms to enable payment to that employee on the payroll system of Her Majesty the Queen in right of the Province through the Office of the Speaker.

**(7)** Payroll services, including proper deductions for the constituency assistants and temporary replacements, must be provided by the Office of the Speaker. amended September 28, 2010; May 30, 2013.

***By resolution of the Commission: no monies by way of bonus or overtime will be paid to constituency assistants, if the assistant incurred overtime that same would be accommodated by time off in lieu. [July 7, 2010]***

**Election period restrictions**

**24A (1)** In this Section, "election period" means the period of time between the dissolution of the House, or the occurrence of a vacancy for which a writ for an election is issued, and when a candidate is declared elected.

**(2)** During an election period for an electoral district, a person who was the member for the electoral district at any time within three months preceding the commencement of the election period may not

(a) advertise, make donations, engage in constituency communications, engage additional constituency assistant services or utilize any telecommunications

for which the member is or was reimbursed, or for such activity during the election period claim reimbursement at any time;

(b) claim reimbursement for attendance during the election period at an event described in clause 21(1)(k); or

(c) utilize a constituency office, furniture, equipment or any employee for partisan purposes. enacted by Regulation 2010B; September 28, 2010.

## HOUSE INDEMNITY - ALLOWANCE - TRAVEL - EXPENSE

### **Indemnity, allowance and salary**

**25 (1)** Each member is entitled to receive a member's indemnity in twenty-six equal instalments, each instalment being paid at equally spaced intervals throughout the year.

**(2)** Where as at June 9, 2010, a member of the House of Assembly, the Chief Clerk or the Sergeant-at-Arms is drawing his or her indemnity, allowance or salary other than as provided in subsection 25(1) of the *Regulations* as enacted by subsection (1), subsection (1) does not apply until the first pay period following December 31, 2010. amended by Regulation 2010A.

### **Member allowance when House sitting**

**26** Each member is entitled to receive \$50.00 on account of expenses, without receipts, for each day that the member is in attendance at the House while the House is in session. amended July 10, 2014.

### **Outside member allowance when House sitting**

**26A (1)** For attending the House while it is in session, each outside member, except the Premier or a member of the Executive Council having charge of a department or the Leader of the Opposition or a leader of a recognized party, who does not have an accommodation rental in the Halifax-Dartmouth metropolitan area is entitled to reimbursement for expenses for either

(a) sleeping accommodation charges, with proper receipts, not exceeding the government rate for the establishment where the member stayed; or

(b) travel by the shortest and most convenient route between the place where the outside member is ordinarily resident and the place where the House ordinarily sits at the rate set out in Section 50, unless the outside member is in receipt of a vehicle allowance.

**(2)** Where the outside member normally travels by motor vehicle on a daily basis between the Halifax-Dartmouth metropolitan area and the member's constituency to attend sittings of the House, only the first trip made during a week that the House is sitting is counted as one of the fifty-two trips referred to in Section 49 and the member is entitled to be reimbursed in accordance with clause (1)(b) for each additional trip made during the week. amended July 10, 2014; July 28, 2016.

### **Holidays**

**26B** Payments may be made pursuant to Sections 26 and 26A in respect of a holiday, a Saturday or a Sunday if the Speaker determines that travel on the holiday, Saturday or Sunday is necessary for the purpose of attending a sitting of the House on the following day. amended July 10, 2014.

### **Submitting claim**

**26C** A member may not submit a claim for travel more often than once every two weeks in respect of payments to be made pursuant to Sections 26 and 26A. amended July 10, 2014.

### **Leased premises**

**27 (1)** An outside member, other than the Premier or a member of the Executive Council having charge of a department, the Leader of the Opposition or the leader of a recognized party, is entitled to be reimbursed in a total amount not exceeding \$1,499.00 per month for accommodation expenses in the Halifax-Dartmouth metropolitan area accounted for by proper receipts.

**(1A)** Where the maximum amount that may be claimed pursuant to subsection (1) is not claimed in any month the unclaimed balance may be claimed in a subsequent month.

**(2)** Where a member is reimbursed for accommodation expenses pursuant to this Section, the member may not be reimbursed for sleeping accommodation charges pursuant to Sections 26A or 44.

**(3)** A member may be reimbursed for accommodation expenses pursuant to this Section for necessary termination expenses after the member ceases to be a member, but not exceeding the allowable reimbursement for three months.

**(4)** Accommodation expenses in subsection (1) consists of

- (a) accommodation rental or hotel accommodations at a rate not exceeding the government rate for the establishment where the member stayed;
- (b) the cost of the parking at or near the accommodation rental unit of one vehicle;
- (c) the cost of utilities provided to the accommodation rental unit;
- (d) a security deposit;
- (e) the cost of keys or other security devices or services;
- (f) the cost of Internet, cable television and telephone service;
- (g) the cost of tenant insurance; and
- (h) the cost of the rental of appliances or furnishings.

**(4A)** With the prior approval of and for a reason acceptable to the Speaker, where a member who has not ceased to be a member, moves from one accommodation rental to another accommodation rental, the member may claim reimbursement for the moving expenses associated with the move.

**(5)** A newly elected outside member, who enters into an accommodation rental agreement, is entitled on a one-time basis to be reimbursed for the cost, not exceeding \$2,550.00, of

- (a) appliances such as a vacuum, mini-fridge, microwave, heater, water cooler, air conditioner, dehumidifier if the cost of an appliance does not exceed \$200.00;
- (b) a small appliance such as a kettle, drip coffee maker, toaster if the cost of a small appliance does not exceed \$50.00;

- (c) furnishings;
- (d) utensils and cookware; and
- (e) linens,

when these items are not provided in the rental accommodation.

(6) Notwithstanding subsection (5), a member shall not be reimbursed for the cost of televisions, radios, CDs, DVDs, DVRs or other forms of entertainment systems or machines for an accommodation rental.

(6A) All assets purchased pursuant to subsection (5), with the exception of linens and mattresses, are the property of Her Majesty in right of the Province and must be identified by appropriate markings as assets of Her Majesty in right of the Province.

***By resolution of the Commission: MLA John Lohr was permitted to pay the cost of his apartment furniture for the 2013 purchase amount. [April 4, 2017]***

(7) Notwithstanding the approval of any amount claimed under this Section, the Commission shall, as soon as possible, initiate a review of fair-market rates for apartment rental and utilities, and other like services, and entertain all options for providing appropriate accommodation to outside members while attending the business of the House, its committees or to their duties as members. amended by Regulation 2010A; July 7, 2010, January 29, 2013; July 10, 2014; July 28, 2016; November 29, 2016.

#### **Overnight hotel stay for non-outside member**

**28** (1) A non-outside member may claim reimbursement for an overnight hotel stay in Halifax, at a rate not exceeding the government rate for the establishment where the member stayed, when, because of

- (a) inclement weather;
- (b) time of day; or
- (c) any other reason acceptable to the Speaker,

the member

(d) is unable to return to the member's ordinary residence following a sitting of the House, a meeting of one of its committees or a caucus meeting; or

(e) needs to be in Halifax for the night before a sitting of the House, a meeting of one of its committees or a caucus meeting.

(2) On May 1, 2015, and every subsequent May 1<sup>st</sup> thereafter, each non-outside member who has claimed reimbursement in accordance with subsection (1) shall

(a) where the House of Assembly is sitting, provide to the Speaker, who shall table in the House; or

(b) where the House is not sitting, file with the Clerk of the House,

a report setting out the dates and the reason in each case for the overnight hotel stays for the fiscal year ending on March 31<sup>st</sup> in the year the report is tabled. amended July 10, 2014; July 28, 2016; November 29, 2016; April 4, 2017.

### **Committee chairs and vice-chairs**

**29 (1)** The chair of each standing committee, each select committee and each special committee of the House is entitled to payment as follows:

- (a) Public Accounts Committee - \$3,152.00;
- (b) all other committees of the House - \$2,101.00;

**(2)** The vice-chair of each standing committee, each select committee and each special committee of the House is entitled to payment of \$525.00.

**(3)** Subsection (1) does not apply to the Speaker or a member of the Executive Council.

**(4)** A payment respecting a position referred to in subsection (1) or (2) must be paid in two instalments after September 30<sup>th</sup> and March 31<sup>st</sup> for the six-month period ending on that day.

**(5)** Where more than one member holds a position referred to in subsection (1) or (2) during any six-month period, the payment to each member must be reduced proportionally to the percentage of the period that the member serves in the position.

**(6)** No payment respecting a position referred to in subsection (1) or (2) may be paid if the committee for which it is payable has not met during the period or, where subsection (5) applies, the part of the period to which the payment relates. amended January 11, 2011.

### **Committee expenses**

**30 (1)** The chair and each member of each standing, select and special committee of the House and the Commission for each day on which the chair and a member attends a meeting of a committee or the Commission when the House is not sitting or the meeting is held outside the Halifax-Dartmouth metropolitan area is entitled to receive reimbursement for:

- (a) \$50.00 on account of expenses, without receipts, for each day the committee or the Commission meets;
- (b) actual expenses incurred in respect of accommodation; and
- (c) travelling expenses calculated in accordance with Section 50.

**(2)** Sleeping accommodation charges incurred and claimed pursuant to subsection (1) must

- (a) be accompanied by proper receipts;
- (b) not be for more than one night's accommodation; and
- (c) not exceed the government rate for the establishment where the member stayed.

**(3)** Other expenses incurred pursuant to subsection (1) may not be for more than two days.

**(4)** Payments may be made pursuant to this Section in respect of a holiday, a Saturday or a Sunday if the Speaker determines that travel on the holiday, Saturday or Sunday is neces-

sary for the purpose of attending a committee or Commission meeting on the day following.  
amended October 19, 2010; July 10, 2014.

### **House leaders, whips and caucus chairs**

- 31** (1) The House Leader is entitled to a payment of \$10,506.00.
- (2) The Deputy House Leader is entitled to a payment of \$5,253.00.
- (3) The person recognized by the Speaker as occupying the position of House Leader of the Official Opposition is entitled to a payment of \$10,506.00.
- (4) The person recognized by the Speaker as occupying the position of Deputy House Leader of the Official Opposition is entitled to a payment of \$5,253.00.
- (5) The person recognized by the Speaker as occupying the position of house leader of a recognized party is entitled to a payment of \$10,506.00.
- (6) The person recognized by the Speaker as occupying the position of deputy house leader of a recognized party is entitled to a payment of \$5,253.00.
- (7) The whip of each recognized party is entitled to a payment of \$5,253.00.
- (8) The caucus chair of each recognized party is entitled to a payment of \$10,506.00.
- (9) Where a member holds more than one of the positions described in this Section, the member may only receive payment for the highest-paying position held.
- (10) Where a payment is made pursuant to this Section to a member in the capacity of House Leader, Deputy House Leader, House Leader of the Official Opposition, house leader of a recognized party, whip or caucus chair, no further payment may be made pursuant to this Section in respect of that position for the same six-month period unless there is an intervening general election.
- (11) For greater certainty, where a payment is made pursuant to this Section to a member in the capacity of the House Leader, Deputy House Leader, House Leader of the Official Opposition, house leader of a recognized party, whip or caucus chair and the member ceases to hold that position before the end of the six-month period for which it was made, the payment is not pro-rated. amended October 19, 2010.

### **Installment payments**

- 32** A payment respecting a position referred to in Section 31 must be paid in two instalments, after April 1<sup>st</sup> and October 1<sup>st</sup>, upon the Office of the Speaker being advised by the caucus chair of the holder of the position. amended January 11, 2011.

## CAUCUS

**Caucus offices**

**33 (1)** In this Section, “member” does not include the Speaker, the Premier or other member of the Executive Council, the Leader of the Opposition or the leader of a recognized party.

**(2)** Each caucus office is entitled, for support services including employment positions, to

(a) for the fiscal year 2011-12, \$449,595.00 plus \$44,287.29 times the number of caucus members determined at the beginning of the year;

(b) for the fiscal year 2012-13, \$445,099.05 plus \$43,844.42 times the number of caucus members determined at the beginning of the year; and

(c) for the fiscal year 2013-14 and subsequent fiscal years, \$440,648.06 plus \$43,405.98 times the number of caucus members determined at the beginning of the year,

and a pro-rated proportion of \$44,287.29, \$43,844.42 or \$43,405.98 as applicable for the remainder of the year for each additional member the caucus gains during the year.

**(2A)** Section 52 does not apply to the amounts set out in subsection (2).

**(3)** For greater certainty, the entitlement under this Section is not reduced for the loss by a caucus of a member during the year.

**(4)** The expenditure of the entitlement under this Section is subject to any guidelines adopted from time to time by the Commission.

**(5)** For greater certainty, the sums referred to in this Section do not include the offices of the Leader of the Opposition or a leader of a recognized party. amended April 27, 2011.

***By resolution the Commission agreed: the Caucus Advertising Guidelines, which were put in place a few years ago under the Legislature Internal Economy Board, be retained and remain in full effect. [July 7, 2010] [see Caucus Funding Guidelines at end of this document]***

**Caucus and task force meetings**

**34 (1)** Members of the Government Caucus, members of the caucus of the Official Opposition and members of the caucus of each recognized party are eligible for reimbursement, pursuant to subsections (3) and (4), for a maximum of four trips to attend caucus meetings held in the Province outside the former City of Halifax during the year.

**(2)** In lieu of each of one or more of the caucus meetings referred to in subsection (1), members of the Government Caucus, members of the Caucus of the Official Opposition and members of the caucus of each recognized party may be reimbursed in accordance with subsections (3) and (4) and Section 43 for a trip to attend a task force meeting anywhere within the Province where the task force meets in one location only and is for a maximum of two nights.

(3) A member attending a caucus meeting pursuant to subsection (1) or a task force meeting pursuant to subsection (2) is entitled to receive reimbursement for

- (a) \$50.00 on account of expenses, without receipts, for each day the caucus meets;
- (b) actual expenses incurred in respect of accommodation; and
- (c) travelling expenses calculated in accordance with Section 49.

(4) Sleeping accommodation charges incurred and claimed pursuant to subsection (3) must

- (a) be accompanied by proper receipts; and
- (b) not exceed the government rate for the establishment where the member stayed. amended July 10, 2014.

### **Caucus chairs - expenses**

35 Where the chair of a caucus is an outside member, that member is entitled to claim and to be paid, in addition to any other expenses allowed the chair, the same allowance and reimbursement authorized for an outside member for twelve return trips between the place where the chair is ordinarily resident and the former City of Halifax.

## LEADER OF OPPOSITION AND LEADER OF RECOGNIZED PARTY

### **Expenses within the Province**

36 The Leader of the Opposition and the leader of a recognized party, in carrying out official duties within the Province, are entitled to be reimbursed for actual and reasonable expenses for accommodation, meals, travel and incidentals in a total amount not exceeding \$42,024.00 accounted for by proper receipts.

### **Special travel**

37 In addition to the entitlement authorized by Section 45, the Leader of the Opposition and the leader of a recognized party are entitled to be reimbursed for actual and reasonable expenses incurred for accommodation, meals, travel and incidentals incurred by the Leader or leader and one assistant in carrying out official duties outside the Province on two separate occasions during the year, except that on each occasion reimbursement may not exceed expenses incurred for travel that includes more than three nights accommodation.

### **Living allowance**

38 The Leader of the Opposition and the leader of a recognized party, as outside members, are entitled to receive an allowance equivalent to that provided pursuant to the *Executive Council Act* to members of the Executive Council for living expenses within the former City of Halifax.

### **Motor vehicle**

39 The Leader of the Opposition and the leader of a recognized party are entitled to payment of the same motor vehicle operation expenses as a member of the Executive Council. amended October 19, 2010.

## DEPUTY SPEAKER

**Expenses respecting duties**

**40** Each Deputy Speaker is entitled to be reimbursed in a total amount not exceeding \$4,202.00 for expenses incurred in carrying out duties as Deputy Speaker accounted for by proper receipt.

## INDEPENDENT MEMBER

**Support services**

**41 (1)** In this Section, “independent member” means a member who is not a member of a caucus that receives financial support pursuant to Section 33.

- (2)** An independent member is entitled to be provided with
- (a) office space not exceeding three hundred square feet;
  - (b) one administrative assistant at the Civil Service classification AS(16);
  - (c) office furniture and equipment necessary to furnish and equip the office for the member and one administrative assistant;
  - (d) telephone lines necessary for the number of staff working in the office;
- and
- (e) reasonable postage.

**(3)** Where there is any question arising from subsection (2) in respect of the office of the independent member concerning

- (a) the selection of space;
- (b) the level of administrative assistant within the AS(16) classification;
- (c) the selection or amount of furniture; or
- (d) reasonable postage,

such question must be determined by the Speaker.

**(4)** An independent member may incur and be reimbursed for long-distance telephone charges for telephone calls made from the office telephone in respect of House or constituency business. amended October 19, 2010.

## CONSTITUENCY MATTERS

**Franking and travel**

- 42 (1)** Each member of the House is entitled to be reimbursed
- (a) in substitution for the franking privilege and for expenses incurred on account of postage or equivalent forms of distribution; and
  - (b) for expenses incurred on account of travel within the member’s constituency or in relation to the member’s duties as a member.
- (2)** *repealed March 3, 2015.*

(3) Expenses incurred on account of travel in this Section includes travel from the member's ordinary residence to the member's constituency office if there are available funds in the member's franking and travel allowance.

(3A) For travel over 250 kilometres one-way within the member's constituency, the member is permitted to claim expenses for meals, with receipts, at the same rate as is paid to civil servants when they travel, if there are available funds in the member's franking and travel allowance.

(4) *repealed March 3, 2015.*

(5) The amounts reimbursed pursuant to clause (1)(a) must be accounted for by proper receipt.

(6) The amounts reimbursed pursuant to clause (1)(b) are to be paid at the rate set out in clause 50(a) and must be accounted for by a proper log of the mileage with the dates and destinations of a trip and the number of kilometres actually and reasonably travelled in connection with the trip.

(7) A member shall make the member's vehicle travel log available for inspection by the Chief Clerk, the Speaker, the Commission and an auditor appointed by the Commission within the three year period following the date when a particular trip was undertaken. amended April 27, 2011; July 10, 2014; March 3, 2015.

***It was agreed by the Commission that for the purpose of administering clause 42(1)(b), a Member may be reimbursed for meals or accommodation incurred during trips of greater than 250 kilometres as long as***

- i) the expenses are for trips recorded in the Member's mileage log,*
- ii) the mileage for the trip exceeds 250 km, and*
- iii) the expenses must be paid from the amount allocated to that Member under subsection 42(1) or (2).*

### **Services**

**43 (1)** In this Section, "expenses" means expenses incurred by a member prior to the time a member ceases to be a member, or within three months after the member ceases to be a member, regardless of when the expense is to be paid by the member except that a member must not be reimbursed for expenses incurred by a member prior to the time a member ceases to be a member, or within three months after the member ceases to be a member, if those expenses are required to be paid more than three months after the member ceases to be a member. Nothing herein in any way affects severance payments to a constituency assistant payable under a written contract.

(2) In this Section, expenses may include

- (a) travel outside the Province for professional development; and
- (b) courses for the member or a constituency assistant if approval of the Speaker is obtained before incurring the expenses.

(3) Each member of the House is entitled to be reimbursed in a total amount, net of sales tax, not exceeding \$4,282.00 per month for expenses accounted for by proper receipt and incurred on account of those items and services in that member's constituency as more specifically set out in Sections 18, 19, 19A, 19B, 21, 22 and 23.

(4) *repealed July 10, 2014.*

(5) Where the maximum amount that may be claimed pursuant to subsection (3) is not claimed in any month the unclaimed balance may be claimed in a subsequent month.

(6) Each member of the House is entitled to receive the sum, net of sales tax, not exceeding \$4,282.00 per month, for expenses accounted for by proper receipt and incurred on account of services in that member's constituency in accordance with subsection (3) for three months after the member ceases to be a member.

(7) Expenses incurred for the lease or the lease-purchase of office furniture and equipment are expenses for which a member may be reimbursed pursuant to this Section.

(8) Furniture and equipment acquired pursuant to this Section on or after October 28, 2009, is the property of Her Majesty in right of the Province.

(9) Notwithstanding anything contained in this Section, a member shall normally submit not more than one expense claim in a month in respect of all payments made pursuant to this Section for a month.

(10) Nothing contained in this Section means that the Office of the Speaker may not make a payment on account of expenses to the person or organization performing or providing the service on behalf of the member at the member's request. amended September 28, 2010, with effect on June 9, 2010; August 14, 2013; December 19, 2013; July 10, 2014; July 28, 2016.

***The Commission agreed to delegate its authority under subsection 43(4) to the Director of the Speaker's Administration Office. [September 28, 2010]***

#### **Annual constituency expense amount**

**43A (1)** In addition to the amounts set out in subsections 43(3) and (6), each member is entitled to be reimbursed in an additional total annual amount, net of sales tax, not exceeding \$14,059.00 for expenses incurred on account of the member's constituency duties in that member's constituency in accordance with those subsections.

(2) Instead of the amount set out in subsection (1),

- (a) the members for
  - (i) Antigonish,
  - (ii) Chester-St.Margaret's,
  - (iii) Cumberland North,
  - (iv) Eastern Shore,
  - (v) Hants West,

- (vi) Kings West,
- (vii) Lunenburg West,
- (viii) Pictou East,
- (ix) Pictou West, and
- (x) Sydney River-Mira-Louisbourg,

are each entitled to be reimbursed in a total annual amount not exceeding \$15,184.00;

- (b) the members for
  - (i) Argyle-Barrington,
  - (ii) Cape Breton-Richmond,
  - (iii) Hants East,

are each entitled to be reimbursed in a total annual amount not exceeding \$16,309.00;

- (c) the members for
  - (i) Clare-Digby, and
  - (ii) Colchester-North

are each entitled to be reimbursed in a total annual amount not exceeding \$17,434.00;

- (d) the members for
  - (i) Annapolis,
  - (ii) Colchester-Musquodoboit Valley,
  - (iii) Cumberland South,
  - (iv) Guysborough-Eastern Shore-Tracadie,
  - (v) Inverness,
  - (vi) Queens-Shelburne, and
  - (vii) Victoria-The Lakes,

are each entitled to be reimbursed in a total annual amount not exceeding \$18,558.00.

**(3)** The amounts payable pursuant to subsection (1) or (2) to a person who becomes a member during the year must be reduced proportionally to the percentage of the year that the person is a member. amended March 3, 2015.

**(4)** The amounts payable pursuant to subsections (1) and (2) are to be paid in a monthly amount not exceeding one-twelfth of the total annual amount. amended September 10, 2015.

#### **Attendance at Halifax**

**44 (1)** Subject to Section 49, each outside member, except the Premier or a member of the Executive Council having charge of a department or the Leader of the Opposition or a leader of a recognized party, is entitled to

- (a) \$50.00 on account of expenses, without receipts, for each day;

(b) where the member does not have an accommodation rental in the Halifax-Dartmouth metropolitan area reimbursement in addition to that authorized by clause (a) for travelling expenses calculated in accordance with Section 50, and expenses for sleeping accommodation at a rate not exceeding the government rate for the establishment where the member stayed, for return trips between the place where the member is ordinarily resident and the former City of Halifax,

to attend in Halifax other than to attend a sitting of the House or one of its committees.

(2) Sleeping accommodation charges incurred and claimed pursuant to subsection (1) must

(a) be accompanied by proper receipts;

(b) not be for more than two nights accommodation unless approved in advance by the Speaker; and

(c) not exceed the government rate for the establishment where the member stayed. amended July 10, 2014; July 28, 2016.

#### **Attendance at Ottawa**

45 (1) Each member is entitled to

(a) \$100.00 on account of expenses, without receipts, for each travel day and for each meeting day when the travel day is not a meeting day;

(b) reimbursement in addition to that authorized by clause (a) for economy air fare, normal airline ground transportation and expenses for sleeping accommodation charges incurred,

for two return trips between the place where the member is ordinarily resident and the City of Ottawa to attend in Ottawa on constituency business or on business as a caucus critic.

(2) Sleeping accommodation charges incurred and claimed pursuant to subsection (1) must

(a) be accompanied by proper receipts;

(b) not be for more than two nights accommodation for each trip; and

(c) not exceed the government rate for the establishment where the member stayed.

(3) The Speaker may permit reimbursement for an additional day and night for each trip if the total reimbursement would be less than the amount permitted by subsection (2).

(3A) The Speaker may permit reimbursement of unexpected expenses for a trip permitted in accordance with this Section on presentation of receipts and the member's written reasons for incurring the additional expenses.

(4) The Government Caucus, the Official Opposition Caucus and the caucus of a recognized party may each designate a member to make two return trips or two members to each make one return trip to attend in Ottawa on constituency or caucus business and subsections (1) and (2) apply *mutatis mutandis* to each such trip. amended July 10, 2014.

### **Attendance outside the Province other than Ottawa**

**46 (1)** Where a member is not reimbursed pursuant to Section 45 for a return trip between the place where the member is ordinarily resident and the City of Ottawa on constituency business or on business as a caucus critic, that member is entitled to

(a) when the trip is within Canada, \$100.00 on account of expenses, without receipts, for each travel day and for each meeting day, when the travel day is not a meeting day;

(aa) when the trip is outside Canada but within North America, \$150.00 on account of expenses, without receipts, for each travel day and for each meeting day, when the travel day is not a meeting day;

(b) reimbursement, in addition to that authorized by clause (a), for economy air fare, normal airline ground transportation and expenses for sleeping accommodation charges incurred, for one return trip between the place where the member is ordinarily resident and another place in North America outside the Province to attend that other place on constituency business, if approval of the Speaker is obtained before incurring the expenses.

**(2)** Subsections 45(2) and (3) apply to reimbursement pursuant to this Section.

**(2A)** The Speaker may permit reimbursement of unexpected expenses for a trip permitted in accordance with this Section on presentation of receipts and the member's written reasons for incurring the additional expenses.

**(3)** Notwithstanding subsections (1) and (2), the member is not entitled to an amount pursuant to this Section for economy air fare charges in excess of that to which the member would have been entitled pursuant to Section 45. amended July 10, 2014.

### **Attendance at authorized parliamentary or legislative meetings**

**47 (1)** Each member is entitled to

(a) when the trip is within the Province, \$50.00 on account of expenses, without receipts, for each travel day and for each meeting day when the travel day is not a meeting day;

(aa) when the trip is outside the Province but within Canada, \$100.00 on account of expenses, without receipts, for each travel day and for each meeting day when the travel day is not a meeting day;

(ab) when the trip is outside Canada, \$150.00 on account of expenses, without receipts, for each travel day and for each meeting day when the travel day is not a meeting day;

(b) reimbursement in addition to that authorized by clause (a) for economy air fare, normal airline ground transportation and expenses for sleeping accommodation charges incurred if the sleeping accommodation charges are

- (i) accompanied by proper receipts,
- (ii) not for more nights' accommodation than are necessary to attend the planned program for the meeting, and

(iii) do not exceed the government rate for the establishment where the member stayed, unless determined otherwise by the Speaker for return trips between the place where the member is ordinarily resident and another place,

to attend at that other place a meeting of the Commonwealth Parliamentary Association or a meeting of any other parliamentary or legislative group, if approval of the Speaker is obtained before incurring the expenses.

(2) The Speaker may permit reimbursement of unexpected expenses for a trip permitted in accordance with this Section on presentation of receipts and the member's written reasons for incurring the additional expenses. amended September 28, 2010; July 10, 2014.

### **Expenses of critics**

**48 (1)** A member occupying the position of critic of a department or agency of Government is entitled to

(a) \$50.00 on account of expenses, without receipts, for each day;

(b) reimbursement in addition to that authorized by clause (a), for travelling expenses calculated in accordance with Section 50 and expenses for sleeping accommodation charges incurred by the critic,

for attending not more than four meetings per year within the Province which meetings are necessarily incidental to the duties of the critic, if approval of the Speaker is obtained before incurring the expenses.

(2) Sleeping accommodation charges incurred and claimed pursuant to subsection (1) must

(a) be accompanied by proper receipts; and

(b) not exceed the government rate for the establishment where the member stayed.

(3) Reimbursement pursuant to subsection (1) is limited to three days and two nights for each meeting.

(4) In lieu of each of one or more of the caucus meetings referred to in subsection 34(1), members of the Government Caucus, members of the Caucus of the Official Opposition and members of the caucus of each recognized party may be reimbursed in accordance with this Section for a meeting referred to in subsection (1) if approval of the Speaker is obtained before incurring the expenses. amended July 10, 2014.

## **GENERAL**

### **Restriction**

**49** Except as authorized by Section 26A, no member may be reimbursed for travel expenses authorized by Sections 26A and 44 in excess of fifty-two return trips in the year between the place where the member is ordinarily resident and the former City of Halifax to attend in Halifax, other than for attendance at a meeting of a select committee, a special committee or a standing committee. amended July 28, 2016.

### Calculation of travel expense

**50** Each outside member of the House, the Leader of the Opposition and a leader of a recognized party entitled under the *House of Assembly Act* to receive travelling expenses is entitled to be reimbursed out of the General Revenue Fund of the Province for claimed travelling expenses incurred for travel by the shortest and most convenient route between the place where the member is ordinarily resident and the place where the House ordinarily sits or the Committee is meeting at

(a) the same rate per kilometre as is paid to civil servants; or

(b) the cost of economy air fare plus normal airline ground transportation. amended

October 19, 2010; July 10, 2014.

### Out-of-Province travel

**51** Members of the House are entitled to reimbursement for health-insurance premiums for out-of-Province travel on House business, if such premiums are necessary to maintain coverage.

### Annual adjustment

**52 (1)** Subject to the approval of the Commission, the fixed amounts set out in the Regulations, except the amount in clause 50(a), is increased on April 1st of each year by the increase in the Consumer Price Index for Nova Scotia or the core Consumer Price Index for Canada, whichever is lower, for the previous year, rounded to the nearest dollar, and the Regulations are amended accordingly.

**(2)** Notwithstanding subsection (1), the fixed amounts set out in these Regulations are not increased for the fiscal year 2011-12.

*Effective April 1, 2012 fixed amounts set out in the Regulations covered by subsection 52(1) were increased by 2% for the 2012-13 fiscal year as the CPI for N.S. was 2% and the CPI for Canada was 2.6%.*

**(3)** Notwithstanding subsection (1), the fixed amounts set out in these Regulations are not increased for the fiscal year 2013-14 and 2014-15. amended April 27, 2011; March 3, 2015.

*By resolution of the Commission: Consumer Price Index increases for the fiscal year 2015-16 were waived. [September 10, 2015]; Consumer Price Index increases for the fiscal year 2016-17 were waived. [July 28, 2016]; Consumer Price Index increases for the fiscal year 2017-18 were waived. [September 12, 2017]*

### No recovery upon ceasing to be member

**53** Where

(a) a member dies or resigns; or

(b) there is a general election during the year and a member does not reoffer or is defeated,

no recovery of any amounts paid to the member pursuant to this Regulation may be made as a result of the member not being a member for the remainder of the year.

### **Expenses to vacate rental accommodation and caucus office**

**53A** When an outside member ceases to be a member in accordance with Section 53, the member may claim the expenses for two trips from the member's ordinary residence to the Halifax-Dartmouth metropolitan area to vacate the member's rental accommodation and to vacate the member's personal caucus office.

### **Request for reimbursement**

**54** A person who makes a request for payment or reimbursement shall

- (a) make the request in writing on the form provided by the House of Assembly Management Commission;
- (b) make the request within six months from the time the payment or claim for which reimbursement is made was incurred or became eligible to be paid;
- (c) sign the request and certify that the request is correct; and
- (d) forward the request to the Office of the Speaker.

*By resolution of the Commission: administration staff utilize the date of the invoice for an advertising expense for the purpose of recording advertising for a month. This motion is considered to be a directive of the Commission. [Directive #2] [July 7, 2010; amended September 28, 2010]*

### **Limitation on reimbursement**

**55 (1)** Notwithstanding anything contained in this Regulation, no member may claim for reimbursement an expense

- (a) for which the member is reimbursed pursuant to another regulation or enactment;
- (b) paid to an associated person;
- (c) paid to a person living in the same dwelling, as a member of the same household;
- (d) paid to any business or on account of property in which the member or those persons mentioned in clause (b) or (c) have an ownership interest.

**(2)** Notwithstanding anything contained in this Regulation, no member may claim for reimbursement for meals or other food or refreshment for any day if the member is entitled for that same day to the amount set out in

- (a) ~~clause~~ [Section] 26;
- (b) *repealed July 28, 2016.*
- (c) clause 30(1)(a);
- (d) clause 34(3)(a);
- (e) clause 44(1)(a);
- (f) clause 45(1)(a);
- (g) ~~clause~~ [subsection] 46(1)(a);
- (h) ~~clause~~ [subsection] 47(a) [(1)]; or

- (i) clause 48(1)(a). amended July 10, 2014; July 28, 2016.

### **Forms**

**56 (1)** The Clerk may prescribe any forms the Clerk considers necessary or advisable for the purpose of these Regulations.

**(2)** Notwithstanding subsection (1), the Commission may, by directive, prescribe any forms the Commission considers necessary or advisable for the purpose of these Regulations.

### **Payment approval**

**57 (1)** Directions for payment of indemnities, allowances, payments or reimbursements and approval of requests for payment or reimbursement must be issued or made by the Speaker, the Deputy Speaker or a person designated by the Speaker.

**(2)** The person who approves a request for payment or reimbursement has the authority to reduce or increase the amount of the payment or reimbursement claimed where that person determines that the amount claimed is in error.

**(3)** A member's expense claim form and private vehicle usage report must be completed in their entirety, including detailed expenditures, as required by the Office of the Speaker for reimbursement. amended October 19, 2010.

### **Application**

**58** This Regulation applies on and after June 9, 2010.

**COMMISSION DIRECTIVES**  
**September 28, 2010**  
**amended May 30, 2013; January 15, 2015**

### **DIRECTIVE #1**

#### ***Re Office Furniture and equipment***

***The Auditor General's Report, February 2010, outlined the following consideration points in establishing rules and guidance of furniture and equipment for constituency offices:***

***4.45 considers points should be taken into account when establishing rules and guidance on assets.***

- ***Clearly specify the types of assets allowed, with examples provided.***
- ***Establish asset thresholds.***
- ***Specify the number of allowable purchases for the same or similar items.***
- ***Specify reasonable dollar amounts or ranges for assets.***
- ***Establish proper asset return and disposal methods.***

***The House of Assembly Management Commission, in drafting this directive, considered the Auditor General's points.***

*Members are entitled to acquire the following office furniture and equipment for themselves and their constituency assistant. It is presumed the number of furniture items or equipment is related to the number of individuals working in an office. This list is not meant to be exhaustive or to imply that all the items are necessary, but is intended to set out reasonable examples for a standard constituency office.*

*Members are entitled to \$2,550 to start up an office, and all other purchases are to come from the monthly constituency allowance of \$4,282. In order to reduce costs to the Member and to the Government, Transportation and Infrastructure Renewal has most of these assets in surplus and they can be made available free of charge rather than purchasing new.*

*Please note that if a Member is replacing an existing item of the same type acquired on or after October 28, 2009, then adherence to the replacement provisions set out in the Regulations is required. All assets acquired on or after October 28, 2009, as expensable items are House of Assembly assets.*

*Furniture and equipment under clause 23(1)(a) that cost greater than \$50.00:*

- desks and/or workstations
- credenza and/or bookcases
- storage and shelving units
- office dividers and/or privacy screens
- ergonomic desk chairs (high/low-back) with casters/wheels
- visitor chairs and table for offices
- visitor chairs and table for waiting area
- equipment stand/console
- filing cabinets (lockable, vertical or horizontal, two or four-drawer)
- recycling boxes
- coat racks
- window coverings (blinds, curtains, etc.)
- meeting room table and chairs
- small table(s) for reception area and offices
- lamps

*Computer equipment under clause 23(1)(c) that cost greater than \$50.00:*

- (a) personal computers or laptop computers or any combination thereof not exceeding four units (unless more staff in office) along with operating software (e.g. MS Office Suite);
- (b) application software (e.g. Adobe);
- (c) hardware peripherals (e.g. mouse, speakers, memory cards, thumb drives, etc.);
- (d) network routers, switches, modems and other equipment associated with a computer network;
- (e) one shredder;
- (f) one television set 32 inches or smaller;
- (g) office and employee security devices;
- (h) one camera;

- (i) one air conditioner (if none provided in facility);
- (j) up to two printers (covered under 23(1)(f));
- (k) one scanner (covered under 23(1)(f));  
\* or a unit that combines some or all of the above functions
- (l) one fax machine (covered under 23(1)(b));
- (m) one photocopier (or lease arrangement) (covered under 23(1)(f));
- (n) telephones with answering devices or services (covered under 23(1)(b)); amended  
September 28, 2010; January 15, 2015.

***Other items as approved by directive of the Commission under Clause 23(1)(h)***

- *small appliances such as kettle, drip coffee maker, toaster oven to a maximum of \$50.00*
- *larger appliances such as mini fridge, microwave, heater, dehumidifier, water cooler, vacuum to a maximum of \$200.00* amended May 30, 2013.

**DIRECTIVE #2**

***By motion of the Commission: administration staff utilize the date of the invoice for an advertising expense for the purpose of recording advertising for a month. This motion is considered to be a directive of the Commission. [Directive #2] [July 7, 2010; amended September 28, 2010]***

**CAUCUS FUNDING GUIDELINES**

**Introduction**

***The Legislature Internal Economy Board, pursuant to the Public Service Act and the House of Assembly Act, has established regulations respecting funding for various services to Members. One of the heads of funding is an annual entitlement for the Caucus offices of the political parties recognized by the House of Assembly Act. The funding is not to promote or support a political party itself.***

***In some circumstances a fine line may exist between the activities of a political party Caucus and the operation of the political party itself. These guidelines are intended to provide assistance to political party caucuses and their staff and to political parties. It is recommended that Members and/or staff contact the Director of Administration of the Speaker's Office or the Clerk of the House of Assembly if there are questions about whether an expenditure from Caucus funds is appropriate. All expenditures are subject to audit at any time by the Office of the Speaker and the Speaker has the sole and absolute final determination of the appropriateness of expenditures under the guidelines provided by the Internal Economy Board.***

**Procurement**

***1. The expenditure of Caucus office funds is subject to the procurement policy of the government of Nova Scotia as it is in effect from time to time. A copy of the current procurement policy is annexed to these guidelines.***

2. *The expenditure of Caucus office funds is subject to the financial administration policies of government as they are defined from time to time. Currently, department purchase orders must be completed for purchase of goods between \$1,000 and \$5,000 and for services between \$1,000 and \$10,000. These must be forwarded to the Administration section of the Speaker's Office together with information showing three quotes. All purchases in excess of \$5,000 for goods and \$10,000 for services must follow the same procedure, except that tenders are involved. An expenditure of \$5,000 or more requires the approval of the Minister - in this case, the Speaker.*

### *Guideline Specifics*

1. *No expenditure or use of Caucus office funds or assets acquired with Caucus office funds is to be made for:*

- (a) solicitations of membership to any political party;*
- (b) solicitations of monetary contributions for any political party;*
- (c) notices of meetings and other political party events;*
- (d) federal, provincial, municipal or local election campaign material, including speeches, enumerators' lists, poll activities and requests for re-election support.*

2. *Material produced, distributed or otherwise made available by Caucus offices is to primarily convey information about the policies, platforms, positions and legislative activity of the respective political party Caucuses, rather than to promote the political party itself. Therefore, Caucus office printed, electronic and other material, including advertising and promotions, shall not use the respective political party logos or be used primarily to promote awareness of and electoral support for a political party. Caucus office material can identify the affiliation of the political party caucus to show the source of the material, including the use of a Caucus logo or word mark, as long as political affiliation is not the predominant element in the material that is distributed or otherwise made available.*

*By way of illustrative examples only: congratulatory advertisements on behalf of a respective political party Caucus are permitted to clearly identify the Caucus by its political affiliation. Letterhead and web sites can clearly identify with name, word mark and colour the affiliation of the respective Caucus. The political party Caucus affiliation can be identified in office signs, telephone listings and other material which helps the public contact each Caucus through its office. Caucus material or advertising which consists primarily of the name, URL or other communication of the political party affiliation, or the name and image of its leader, is not permitted.*

3. *Research, public opinion surveys, other commissioned surveys and activity undertaken by a Caucus office shall be conducted solely to support the respective political party Caucus in carrying out its roles and responsibilities.*

4. *Caucus offices, material and assets purchased with Caucus office funds are not to be used for political party election campaigns. Caucus office staff who participate in election campaigns shall do so during vacation time, unpaid leave, time off in lieu of overtime or outside of their Caucus office hours.*