

# LEGISLATURE INTERNAL ECONOMY BOARD REGULATION

2006

## Citation

1 This Regulation may be cited as *Internal Economy Board Regulation 2006*.

## Authority

2 This Regulation is made by the Legislature Internal Economy Board pursuant to the *House of Assembly Act*.

## Interpretation

3 (1) Unless otherwise stated, in this Regulation,

(a) "economy air fare" does not include expenses incurred for the private charter of aeroplanes;

(b) "recognized party" means a party that is represented by two or more members, is a recognized party in accordance with the *Elections Act*, had candidates standing for election for three quarters of the seats of members in the House and received ten per cent or more of the votes officially recorded in the latest general election of the members of the House; and

(c) other words, phrases and expressions have the same meaning as in the *House of Assembly Act*.

(2) For the purpose of subsections 6(3) and 22(1), (2) and (4), 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.

(3) For the purpose of subsection 21(3), a person becomes a member at the beginning of the month in which the election, at which the person was elected, was held.

## HOUSE INDEMNITY-ALLOWANCE-TRAVEL-EXPENSE

### Indemnity, allowance and salary

4 (1) Each member of the House is entitled during the year to receive a member's indemnity and allowance in four equal instalments or, where the member so requests in writing of the Chairman of the Legislature Internal Economy Board, in twelve or twenty-six equal instalments, each instalment being paid at equally spaced intervals throughout the year.

(2) The Chief Clerk and the Sergeant-at-Arms are eligible to draw salary in the same manner as the members of the House of Assembly.

### **Outside member allowance**

**5 (1)** 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 for attending a sitting of the House to

(a) an amount of \$80.00 on account of expenses, without receipts, for each day that the outside member is in attendance at the House while the House is in session; and

(b) reimbursement in addition to that authorized by clause (a) for expenses,

(i) with proper receipts for sleeping accommodation charges only, or

(ii) for 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 29,

incurred in attending the House while it is in session to a maximum of \$85.00 per day.

**(2)** Notwithstanding subsection (1), each member of the Executive Council who is an outside member and normally travels by motor vehicle on a daily basis between the Halifax-Dartmouth metropolitan area and the member's constituency in the capacity of a member of the Executive Council, is entitled to be reimbursed for travelling expenses by the shortest and most convenient route at the rate per kilometre set out in Section 29.

**(3)** Subsection (2) does not apply to

(a) a member of the Executive Council who is an outside member and who has been provided with a government-leased or government-purchased motor vehicle; or

(b) a member of the Executive Council who is an outside member and who leases premises for sleeping accommodation in the Halifax-Dartmouth metropolitan area.

**(4)** Notwithstanding subsection (1), if an outside member entitled to reimbursement pursuant to that subsection 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, the first trip made during a week that the House is sitting shall be counted as one of the fifty-two trips referred to in Section 28 and the member shall be reimbursed accordingly and for any additional trips made during that week to attend sittings of the House the member is entitled to be reimbursed for travelling expenses by the shortest and most convenient route at the rate per kilometre set out in Section 29.

**(5)** Subsection (4) does not apply to an outside member referred to in that subsection if the member leases premises for sleeping accommodation in the Halifax-Dartmouth metropolitan area.

(6) Payments may be made pursuant to this Section in respect of a holiday, a Saturday or a Sunday if the Chairman of the Legislature Internal Economy Board determines that travel on the holiday, Saturday or Sunday is necessary for the purpose of attending a sitting of the House on the day following.

(7) Notwithstanding anything contained in this Section, a member shall not submit a claim for travel more often than once every two weeks in respect of payments to be made pursuant to this Section.

### **Leased premises**

6 (1) An outside member, other than the Premier or a member of the Executive Council having charge of a department or the Leader of the Opposition, shall be reimbursed \$1,400.00 per month for accommodation expenses in the Halifax-Dartmouth metropolitan area.

(2) If a member is reimbursed for accommodation expenses pursuant to this Section, the member shall not be reimbursed for sleeping accommodation charges pursuant to Sections 5 or 23.

(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.

### **Non-outside member and outside member of Executive Council allowance**

7 Each non-outside member, and each outside member who is a member of the Executive Council or the Leader of the Opposition or a leader of a recognized party and not entitled to submit a claim pursuant to Section 5, is entitled to an amount of \$80.00, without receipts, for expenses for each day that the member is in attendance at the House while the House is in session.

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

8 (1) The chair of each standing committee, each select committee and each special committee of the House and the Legislature Internal Economy Board is entitled to payment as follows:

- (a) Committee on Assembly Matters, Law Amendments Committee and Public Accounts Committee - \$3,000.00;
- (b) all other committees of the House - \$2,000.00;
- (c) Legislature Internal Economy Board - \$3,000.00.

(2) The vice-chair of each standing committee, each select committee and each special committee of the House is entitled to payment of \$500.00.

(3) If a payment is made pursuant to this Section to a member in the capacity of chair or vice-chair of a committee or the Legislature Internal Economy Board, 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.

(4) For greater certainty, if a payment is made pursuant to this Section to a member in the capacity of chair or vice-chair of a committee or the Legislature Internal Economy Board and the member ceases to hold that position before the end of the six-month period for which it was made, the payment shall not be pro-rated.

### **Committee expenses**

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

- (a) an amount of \$80.00 on account of expenses, without receipts, for meals and other reasonable expenses incurred for the purpose of attending the meeting or actual expenses for meals and other reasonable expenses;
- (b) actual expenses incurred in respect of accommodation; and
- (c) travelling expenses calculated in accordance with Section 29.

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

- (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) shall 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 Chairman of the Legislature Internal Economy Board determines that travel on the holiday, Saturday or Sunday is necessary for the purpose of attending a committee or Board meeting on the day following.

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

10 (1) A payment of \$10,000.00 shall be made to the House Leader.

(2) A payment of \$5,000.00 shall be made to the Deputy House Leader.

(3) A payment of \$10,000.00 shall be made to the person recognized by the Speaker as occupying the position of House Leader of the Official Opposition.

(4) A payment of \$10,000.00 shall be made to the person recognized by the Speaker as occupying the position of house leader of a recognized party.

(5) A payment of \$5,000.00 shall be made to the whip of each recognized party of the House.

(6) A payment of \$10,000.00 shall be made to the caucus chair of each recognized party of the House.

(7) If 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.

(8) For greater certainty, if 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 shall not be pro-rated.

### **Instalment payments**

11 A payment respecting a position referred to in Section 8 or 10 shall be paid in two instalments, after January 1st and July 1st, upon the Office of the Speaker being advised by the caucus chair of the holder of the position.

## CAUCUS

### **Caucus offices**

12 (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 \$300,000.00 plus \$42,300.00 times the number of members the caucus has at the beginning of the year and a pro-rated proportion of \$42,300.00 for the remainder of the year for each additional member of the caucus gained during the year.

(3) For greater certainty, the entitlement under this Section shall not be 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 Board.

(5) The salary component of the entitlement under this Section shall be adjusted in accordance with any salary increase given to the public service.

(6) 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.

### **Caucus and task force meetings**

**13 (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 23 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) an amount of \$80.00 on account of expenses, without receipts, for meals and other reasonable expenses incurred for the purpose of attending the meeting or actual expenses for meals and other reasonable expenses;

(b) actual expenses incurred in respect of accommodation; and

(c) travelling expenses calculated in accordance with Section 29.

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

(a) be accompanied by proper receipts; and

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

### **Caucus chairs -- expenses**

**14** 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**

**15** 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 \$20,000.00.

**Special travel**

**16** In addition to the entitlement authorized by Section 24, 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, subject to the restriction that on each occasion reimbursement shall not exceed expenses incurred for travel that includes more than three nights accommodation.

**Living allowance**

**17** The Leader of the Opposition, as an outside member, shall 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**

**18** The Leader of the Opposition and the leader of a recognized party are entitled to a leased motor vehicle on the same basis as is a member of the Executive Council for a government leased or purchased motor vehicle.

## DEPUTY SPEAKER

**Expenses respecting duties**

**19** Each deputy speaker is entitled to receive the sum of \$4,000 in lieu of expenses incurred in carrying out duties as deputy speaker.

## INDEPENDENT MEMBER

**Support services**

**20 (1)** In this Section, "independent member" means a member who is not a member of a caucus that receives financial support pursuant to Section 12.

- (2)** An independent member shall be provided with
- (a) office space not exceeding three hundred square feet;
  - (b) one secretary at the Civil Service classification AS(13);
  - (c) office furniture and equipment necessary to furnish and equip the office for the member and one secretary;
  - (d) one telephone line; and
  - (e) reasonable postage.

**(3)** If 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 the secretary within the AS(13) classification;

- (c) the selection or amount of furniture; or
- (d) reasonable postage,

such question shall be determined by the Chairman of the Legislature Internal Economy Board.

(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.

## CONSTITUENCY MATTERS

### Franking and travel

**21 (1)** Each member of the House is entitled to receive \$13,132.50

- (a) in substitution for the franking privilege and in lieu of expenses incurred on account of postage; and
- (b) in lieu of expenses incurred on account of travel within the member's constituency.

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

- (a) the members for
  - (i) Guysborough-Sheet Harbour,
  - (ii) Inverness, and
  - (iii) Victoria-The Lakes,

are each entitled to receive \$17,334.90;

- (b) the members for
  - (i) Colchester-Musquodoboit Valley,
  - (ii) Cumberland South,
  - (iii) Digby-Annapolis, and
  - (iv) Queens,

are each entitled to receive \$16,284.30;

- (c) the members for
  - (i) Shelburne,
  - (ii) Colchester North, and
  - (iii) Annapolis,

are each entitled to receive \$15,233.70; and

- (d) the members for
  - (i) Hants East,



- (ii) Cape Breton West,
- (iii) Chester-St. Margaret's,
- (iv) Pictou East,
- (v) Argyle, and
- (vi) Antigonish,

are each entitled to receive \$14,183.10.

(3) The amounts payable pursuant to subsection (1) or (2) to a person who becomes a member during the year shall be reduced proportionally to the percentage of the year that the person may be a member.

### Services

**22** (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 shall 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.

(2) Each member of the House is entitled to receive the sum of \$1000.00 per month in lieu of expenses incurred on account of services to that member's constituency and a further sum, net of sales tax, not exceeding \$5,500.00 per month, for expenses accounted for by proper receipt and incurred on account of services in that member's constituency for the provision of office space, meeting places, equipment, telephone, telephone answering services, advertising and secretarial services.

(3) Where the maximum amount that may be claimed pursuant to subsection (2) is not claimed in any month the unclaimed balance may be claimed in a subsequent month.

(4) Each member of the House is entitled to receive the sum of

(a) \$11,500.00 per month; or

(b) if ceasing to be a member as a result of not running in or being defeated in the next general election, \$15,000.00 per month,

in lieu of expenses incurred on account of services to that member's constituency and a further sum, net of sales tax, not exceeding \$5,500.00 per month, for expenses accounted for by proper receipt and incurred on account of services in that member's constituency in accordance with subsection (2) for three months after the member ceases to be a member.

(5) 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.

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

(7) Nothing contained in this Section means that the Office of the Speaker may not make a payment on account of expenses to the person directly performing the service on behalf of the member at the member's request.

### **Attendance at Halifax**

**23 (1)** Subject to Section 28, 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) an allowance of \$80.00 on account of expenses, without receipts, for each day; and

(b) reimbursement in addition to that authorized by clause (a) for travelling expenses calculated in accordance with Section 29 and expenses for sleeping accommodation charges incurred,

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) shall

(a) be accompanied by proper receipts;

(b) not be for more than two nights accommodation unless approved in advance by the Chairman of the Legislature Internal Economy Board; and

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

### **Attendance at Ottawa**

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

(a) an allowance of \$80.00 on account of expenses, without receipts, for each day; and

(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 the City of Ottawa to attend in Ottawa on constituency business.

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

(a) be accompanied by proper receipts;

- (b) not be for more than two nights accommodation; and
- (c) not exceed the government rate for the establishment where the member stayed.

(3) The Chairman of the Legislature Internal Economy Board may permit reimbursement for an additional day and night if the total reimbursement would be less than the amount permitted by subsection (2).

(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.

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

**25 (1)** Where a member is not reimbursed pursuant to Section 24 for a return trip between the place where the member is ordinarily resident and the City of Ottawa on constituency business, that member is entitled to

- (a) an allowance of
  - (i) \$100.00 in the case of travel outside Canada, or
  - (ii) \$80.00 in the case of travel within Canada,

on account of expenses, without receipts, for each day; and

- (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 Chairman of the Legislature Internal Economy Board is obtained before incurring the expenses.

(2) Subsections 24(2) and (3) apply to reimbursement pursuant to this Section.

(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 24.

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

**26** Each member is entitled to

- (a) an allowance of
  - (i) \$100.00 in the case of travel outside Canada, or
  - (ii) \$80.00 in the case of travel within Canada,

on account of expenses, without receipts, for each day; and

(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 than two nights accommodation, and
- (iii) do not exceed the government rate for the establishment where the member stayed,

unless determined otherwise by the Chairman of the Legislature Internal Economy Board 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 Chairman of the Legislature Internal Economy Board is obtained before incurring the expenses.

### **Expenses of critics**

**27 (1)** Persons occupying the position of critic of a department or agency of Government are entitled to reimbursement for actual and reasonable expenses for accommodation, meals, travel and incidentals incurred by the critic for attending not more than two meetings per year within the Province which meetings are necessarily incidental to the duties of the critic, if approval of the Chairman of the Legislature Internal Economy Board is obtained before incurring the expenses.

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

**(3)** In lieu of each of one or more of the caucus meetings referred to in subsection 13(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 Chairman of the Legislature Internal Economy Board is obtained before incurring the expenses.

## **GENERAL**

### **Restriction**

**28** Except as authorized by Section 5, no member shall be reimbursed for travel expenses authorized by Sections 5 and 23 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.

### **Calculation of travel expense**

**29** 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 Consolidated 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) 34¢ per kilometre; or
- (b) the cost of economy air fare plus normal airline ground transportation.

### **Out-of-Province travel**

**30** 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.

### **No recovery upon ceasing to be member**

**31** Where

- (a) a member dies or resigns; or
- (b) there is a general election during the year and a member does not re-offer or is defeated,

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

### **Request for reimbursement**

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

- (a) make the request in writing on the form provided by the Legislature Internal Economy Board;
- (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.

### **Limitation on reimbursement**

**33 (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 the member's spouse, child, parent, brother or sister;
- (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) For greater certainty, clauses (1)(b), (c) and (d) do not apply to reimbursement for an expense if the reimbursement does not require receipts.

**Payment approval**

**34 (1)** Directions for payment of indemnities, allowances, payments or reimbursements and approval of requests for payment or reimbursement shall be issued or made by the Chairman of the Legislature Internal Economy Board, the Vice-chairman or a person designated by the Chairman.

(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.

**Application**

**35** This Regulation applies from January 1, 2006, to December 31, 2006.

APPROVED by the Legislature Internal Economy Board at Halifax, Nova Scotia, this 14th day of December, 2005.

Honourable Murray Scott  
Chairman