

# Board of Internal Economy

## Members By-Law (Current as of September 29, 2014)

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### INTERPRETATION

#### Definitions

1. (1) The definitions in this section apply in this By-law, unless otherwise provided.

“Board”

« *Bureau* »

“Board” means the Board of Internal Economy established by section 50 of the *Parliament of Canada Act*.

“contract for professional services”

« *contrat de services professionnels* »

“contract for professional services” means an agreement to retain a person or entity to directly assist a Member in carrying out his or her parliamentary functions, including assistance in research, writing, communications as well as temporary office assistance, but not including the provision of legal advice or representation.

“dependant”

« *personne à charge* »

“dependant” means a child of a Member, including a stepchild, an adopted child, a foster child, a child in respect of whom the Member is the legal guardian, or a child of his or her spouse who is financially dependent on the Member for necessary maintenance or the necessities of life such as food, lodging, medical care, clothing and cost of education and who is

(a) under 21 years of age;

(b) 21 or older, but not more than 25 years of age, and in full-time attendance at a recognized educational institution; or

(c) regardless of age, wholly dependent upon the Member by reason of physical or mental disability.

“designated traveller”

« *voyageur désigné* »

“designated traveller” means a person designated in accordance with section 38.

“House Administration”  
« *Administration de la Chambre* »

“House Administration” means the Clerk of the House of Commons and the employees under the Clerk’s authority.

“House Officer”  
« *agent supérieur de la Chambre* »

“House Officer” means any of the following persons:

(a) the Member occupying the following positions:

- (i) Speaker of the House of Commons,
  - (ii) Deputy Speaker of the House of Commons and Chair of Committees of the Whole House,
  - (iii) Deputy Chair of Committees of the Whole House,
  - (iv) Assistant Deputy Chair of Committees of the Whole House,
  - (v) Government House Leader,
  - (vi) Leader of a recognized party, but does not include the Prime Minister,
  - (vii) House Leader of a recognized party,
  - (viii) Whip of a recognized party, or
  - (ix) Chair of the national caucus of a recognized party; or
- (b) any Member who is a former Prime Minister.

“immediate family”  
« *proche famille* »

“immediate family” means a Member’s father, mother, brother, sister, spouse and children, as well as the spouses and children of the Member’s children.

“Member”  
« *député* »

“Member” means a Member of the House of Commons.

“*Members’ Allowances and Services* manual”  
« *manuel Allocations et services aux députés* »

“*Members’ Allowances and Services* manual” means the manual entitled *Members’*

*Allowances and Services*, as amended from time to time, that is issued by the House Administration under the authority of the Board and that is a guide to the policies and decisions of the Board as they apply to the budgets, amounts, allowances, rates and limits set by the Board in accordance with section 16 of the *Governance and Administration By-law* with respect to the funds, goods, services and premises provided under this By-law.

“national caucus”  
« *caucus national* »

“national caucus” means all of the Members of a recognized party.

“parliamentary functions”  
« *fonctions parlementaires* »

“parliamentary functions” in relation to a Member, means the duties and activities that relate to the position of Member, wherever performed and whether or not performed in a partisan manner, namely, participation in activities relating to the proceedings and work of the House of Commons and activities undertaken in representing his or her constituency or constituents.

“Parliamentary office”  
« *bureau parlementaire* »

“Parliamentary office” means an office that is located on or near Parliament Hill.

“political party executive”  
« *membre de l'exécutif d'un parti politique* »

“political party executive” means any person who

(a) has been identified as an officer, auditor or chief agent

(i) of a political party under section 366 of the *Canada Elections Act*, or

(ii) of a registered political party under section 382 of that Act; or

(b) holds an office or occupies a position identified in the constitution of a registered political party.

“premises”  
« *locaux* »

“premises” means any place provided for the use of the House of Commons, its committees, and members or the House Administration, and any place where the House or any of its committees sits and includes a Member's constituency office.

“recognized party”  
« *parti reconnu* »

“recognized party” means a party that has a recognized membership of 12 or more persons in

the House of Commons.

“registered political party”  
« *parti politique enregistré* »

“registered political party” means a political party that is entered in the registry of parties referred to in section 374 of the *Canada Elections Act* as a registered party.

“spouse”  
« *conjoint* »

“spouse”, with respect to a Member at any time, means a person who, at that time, is married to the Member; is cohabiting with the Member in a conjugal relationship, having so cohabited for a period of at least one year; or is cohabiting with the Member in a conjugal relationship and is the parent of a child of whom the Member is a parent. It does not include a person from whom the Member is separated where all support obligations and family property have been dealt with by a separation agreement or by a court order.

Sub-group

(2) Reference to the national caucus is not considered to be a reference to a sub-group of the national caucus.

## PRINCIPLES OF INTERPRETATION

Principles

**2.** (1) The following general principles of interpretation apply in this By-law:

(a) the Board has exclusive authority to determine the proper use, by Members, of the funds, goods, services and premises provided by the House of Commons and to establish policies related to that use;

(b) a Member shall be provided with financial resources and administrative services for the performance of the Member’s parliamentary functions, subject to the authority of the Board;

(c) a Member has the constitutional rights, immunities and independence applicable to his or her position in order to perform his or her parliamentary functions free from interference or intimidation; and

(d) a Member has full discretion in the direction and control of work performed on the Member’s behalf by employees and contractors engaged by the Member and is subject only to the authority of the Board and the House of Commons in the exercise of that discretion.

Board’s decisions

(2) When, in this By-law, it is stated that something or someone is subject to conditions set by the Board or that some elements are determined by the Board, the reference is to decisions made by the Board under the *Parliament of Canada Act*, including opinions it issues under

sections 52.6 and 52.8 of that Act.

## INCONSISTENCIES

By-law prevails

**3.** In the event of any inconsistency between this By-law and any provision of a policy decision, the *Members' Allowances and Services* manual or any other administrative manual, this By-law prevails to the extent of the inconsistency.

## PART 1

### GENERAL PROVISIONS

Use of House of Commons Resources

Parliamentary functions

**4.** (1) The funds, goods, services and premises provided by the House of Commons to a Member under the *Parliament of Canada Act*, this By-law or any other by-law made under that Act may be used only for carrying out the Member's parliamentary functions.

Partisan activities

(2) The funds, goods, services and premises provided by the House of Commons to a Member may be used by the Member for partisan activities only if those activities fall within the parliamentary functions of the Member.

Not parliamentary functions

(3) For greater certainty, the following activities, when performed by a Member, are not parliamentary functions:

(a) activities related to the private interests of a Member or a Member's immediate family;

(b) activities related to the administration, organization and internal communications of a political party, including participation in a party leadership campaign or convention, solicitations of contributions and solicitations of membership to a political party;

(c) activities related to a Member's re-election;

(d) activities designed, in the context of a federal, provincial, or municipal election, or any other local election, to support or oppose a political party or an individual candidate; and

(e) activities that are related to a meeting of an electoral district association, as defined in the *Canada Elections Act*, and that are carried out for nomination, electoral or sponsorship purposes or that relate to soliciting contributions or membership.

Requirements

(4) Members shall ensure that the requirements set out in subsection (1) are met.

#### Limitation

**5.** A Member may not allow the funds, goods, services and premises provided by the House of Commons to be used by anyone other than the Member's employees or, subject to conditions set by the Board, those with whom the Member has a contract for professional services.

#### Restriction — donations

**6.** Subject to conditions set by the Board, a Member may not donate, directly or indirectly, to any person, cause or organization, funds, goods or services provided by the House of Commons to the Member.

#### Restriction — third party

**7.** (1) Except as may be approved by the Board and subject to subsection (2), a Member may not use funds, goods, services and premises provided by the House of Commons for the benefit of any person, association or organization, or for the promotion of a product, service or event of any person, association or organization.

#### Exception — advertising event or activity

(2) A Member may use his or her Member's Office Budget, subject to the financial limit set in subsection 57(2), the printing and copying services provided by the House or the Parliamentary Internet for the purpose of advertising an event or activity for the benefit of any person, association or organization, only if the following conditions are met:

(a) the advertisement is directed at people residing within the constituency of the Member;

(b) the advertisement includes the Member's name and contact information;

(c) the advertisement is in accordance with any content and form requirements as may be set by the Board; and

(d) except in the case of printing and copying, the advertisement is for the purpose of communicating the Member's participation in the event or activity.

#### Restriction — fund raising

**8.** The funds, goods, services and premises provided by the House of Commons to a Member may not be used for the purpose of soliciting contributions.

#### Other restrictions

**9.** The funds, goods, services and premises provided by the House of Commons to a Member may not be used to support Senators, the Senate or the Government of Canada in the performance of their duties and functions.

Use of goods or premises

**10.** A Member has the custody and use of goods or premises provided by the House of Commons under the *Parliament of Canada Act*, this By-law or any other by-law made under that Act and shall ensure that they are not abused or damaged other than by reasonable wear and tear.

General Principles Respecting Expenditures

Allocation of expenses

**11.** (1) Expenditures made by the House of Commons on behalf of Members shall be charged to the fiscal year in which the goods are received or the services are rendered.

Prohibition — previous fiscal year

(2) Expenditures in one fiscal year may not be charged to a previous fiscal year.

Current fiscal year

(3) Expenditures from a previous fiscal year may be charged to the Member's Office Budget for the current fiscal year provided that the expenditures are within the limits of the Member's Office Budget of the previous fiscal year and are submitted by June 30 of the current fiscal year.

Maximum expenditures

**12.** (1) The total expenditures eligible for payment or reimbursement under this By-law shall be within the budgets, amounts, allowances, rates and limits set by the Board in accordance with section 16 of the *Governance and Administration By-law*.

Disbursement excess

(2) Members are personally responsible for paying expenditures that exceed the budgets, amounts, allowances, rates and limits referred to in subsection (1) or that do not conform to this By-law.

Disclosure

Disclosure of Members' expenses

**13.** The Speaker of the House of Commons shall publish, on the Parliament of Canada Web site, at such time as may be determined by the Board, a report of Members' expenses setting out the expenditures made from each Member's Office Budget and all other expenditures relating to goods and services provided by the House of Commons.

Claims to be Certified

Certification

**14.** (1) Claims for reimbursement or payment made under this By-law shall be certified by the Member or his or her delegate in a manner determined by the Chief Financial Officer.

#### Information

(2) The Chief Financial Officer shall specify the information to be contained in the claims referred to in subsection (1).

#### Payment in line with Contract

#### Prohibition

**15.** No money may be paid to any person or entity for the supply of goods or services under a contract unless the goods or services have been supplied in accordance with the contract.

#### Communications Outside of Parliamentary Proceedings

#### Communications

**16.** Members' communications outside of parliamentary proceedings may be subject to applicable federal or provincial law, including that which relates to defamation or intellectual property rights. Members are personally liable for non-compliance with those laws.

#### Delegation of Authority

#### Prohibition

**17.** Subject to conditions set by the Board, a Member may not authorize any of his or her employees to sign, on behalf of the Member, any contract that the Member may sign under this By-law.

#### Authorization of House Officer

**18.** (1) A House Officer may authorize, in writing, subject to conditions set by the Board, an employee of the House Officer to initiate expenditures, to sign contracts in relation to employees and contracts for professional services on behalf of the House Officer, to determine work-related matters and to authorize payments provided for in this By-law.

#### Notice

(2) A House Officer who authorizes an employee for the purposes of subsection (1) shall notify the Chief Financial Officer promptly in writing of the authorization, its extent and terms and, as the case may be, its termination.

#### Non-Compliance with By-law

#### Measures

**19.** If a person fails to comply with this By-law

(a) the Board or the Clerk of the House of Commons acting under the authority of the Board may give written notice to the Member responsible, requiring the Member to rectify the situation to the satisfaction of the Board or the Clerk;

(b) if the situation is not rectified to the satisfaction of the Board or the Clerk, the Board may order that any amount of money necessary to rectify the situation be withheld from any budget, allowance or other payment that may be made available to the Member under this By-law or the *Governance and Administration By-law*; and

(c) the Board may order that any budget, allowance or other payment that may be made available to the Member under this By-law or the *Governance and Administration By-law* be frozen for such time and on such other conditions as the Board considers necessary

(i) if the non-compliance continues, or

(ii) if the Board considers it necessary to protect House of Commons funds.

Arrears of 90 days or more

**20.** If a Member is 90 days or more in arrears in an amount owed to the House of Commons, the Chief Financial Officer may deduct the amount in arrears from any amount to be paid by the House of Commons to the Member, except a payment under section 55.1, 62.1, 62.2 or 62.3 of the *Parliament of Canada Act*.

Civil remedy

**21.** (1) Nothing in this By-law affects any other civil remedy that may be available to the Board.

Offence

(2) Where, in the opinion of the Board, an expenditure or use of funds, goods, services or premises may constitute an offence under any applicable federal or provincial law, the Board may refer the matter to the competent authority.

Refer to standing committee

(3) Where, in the opinion of the Board, an expenditure or use of funds, goods, services or premises ought to be considered by the House of Commons as a matter for possible disciplinary action, the Board may take the necessary steps to have the matter referred to the appropriate standing committee of the House.

PART 2

RESOURCES PROVIDED TO MEMBERS BY THE HOUSE OF COMMONS

Division 1

Resources

## Offices and Services

### Parliamentary office

**22.** Every Member shall be provided with a Parliamentary office.

### Furniture, furnishings and office equipment

**23.** Every Member shall be provided with office furniture, furnishings and office equipment for his or her Parliamentary office, subject to conditions set by the Board.

### Constituency office

**24.** (1) Subject to conditions set by the Board, every Member may establish one or more offices in or near the Member's constituency to serve constituents and carry out the Member's parliamentary functions.

### Location

(2) A Member may locate a constituency office in the constituency of another Member only if the other Member consents.

### Lease

(3) A lease for a constituency office may be negotiated and signed by a Member as lessee, but if the lease is terminated by reason of the Member's resignation, retirement or election defeat, no payment under this By-law in respect of the lease may be made for more than a 3-month period from the date of the termination.

### Constituency office furniture

**25.** A new Member assumes the custody and use of the furniture, furnishings, equipment and other assets owned by the House of Commons from the previous Member's constituency office, which are to be transferred to the new Member after the election within any time limit as may be set by the Board.

## Property of the House of Commons

### Property

**26.** Subject to section 27, real and personal property, including intellectual property rights, provided under the *Parliament of Canada Act*, this By-law or any other by-law made under that Act or produced by services provided under that Act, this By-law or any other by-law made under that Act, are the property of the House of Commons.

### Product of research

**27.** Information in any form that has been supplied to or generated for a Member in the context of services provided under the *Parliament of Canada Act*, this By-law or any other by-law made under that Act remains the property of the House of Commons but under the

exclusive direction and control of the Member while in office and, after leaving office, of a former Member, if a licence to use that information has been issued to the former Member. The Member may make personal and private use of the information or release it to the public, but may not make commercial use of it without the consent of the Board.

## House of Commons Assets Report

### Report

**28.** (1) Every Member shall, within 30 days of receiving a report of House of Commons assets that are in the possession of the Member, including those located in the Parliamentary office and constituency office, confirm the report's accuracy in writing to the author of the report.

### Notice of non-compliance

(2) If a Member does not comply with subsection (1), the Chief Financial Officer shall give written notice thereof to the Member and the Whip of the Member's party or, if the Member has no Whip, the Speaker of the House of Commons.

### Refusal to pay

(3) If, within 30 days after notice is given under subsection (2), the Member does not confirm the accuracy of the report, the Chief Financial Officer may refuse to pay for the allowable expenditures of the Member, other than the remuneration of employees.

## Printing Services

### Goods and services

**29.** (1) Every Member shall be provided with the following goods and services, subject to conditions set by the Board:

(a) printing of personalized stationery for the Member;

(b) printing of Season's Greetings cards;

(c) subject to the provisions of paragraph (e), printing of four householder mailings per calendar year;

(d) subject to the provisions of paragraph (e), printing of material in a quantity per printing of no more than 10% of the number of households in the Member's constituency, commonly known as ten percenters, provided that

(i) the Member's name appears in a prominent way on all requested ten percenters, and

(ii) the Member does not share his or her ten percenter allocation with other Members;

(e) printing or copying of material provided by the Member, except

- (i) solicitations of membership to a political party,
- (ii) solicitations of contributions for a political party,
- (iii) federal, provincial, municipal or local election campaign material, including speeches, enumerators' lists, material related to poll activities and requests for re-election support,
- (iv) advertising of an event or an activity for the benefit of any person, association or organisation, unless, in addition to meeting the requirements in paragraphs 7(2)(a) to (c), the advertisement of the event or activity forms a minor part of a communication made in the performance of the Member's parliamentary functions and either
  - (A) is for the purpose of communicating the Member's participation in the event or activity, or
  - (B) the event or activity would be of interest to his or her constituents,
- (v) entire reproduction of publications available from the Postal, Distribution and Messenger Services of the House of Commons, a government department or a commercial source,
- (vi) work that Information Services — Printing is not technologically equipped to undertake,
- (vii) a request that would infringe a copyright, unless permission has been obtained from the owner of the copyright, and
- (viii) in the case of a large volume request, the quantity of which may be determined by the Board, material that has been copied previously that year for the Member.

#### Distribution

(2) Subject to conditions set by the Board, the printed material referred to in paragraphs (1)(c) and (d) may only be distributed within the constituency of the Member who requested it.

#### Postal and Other Services

##### Goods and services

**30.** Every Member shall be provided with the following goods and services, subject to conditions set by the Board:

- (a) administration of the free mailing privileges provided by
  - (i) subsection 35(2) of the *Canada Post Corporation Act*, and
  - (ii) subsection 35(3) of the *Canada Post Corporation Act* to send four householder mailings per calendar year to every household in the constituency; and
- (b) the postal, distribution, internal mail, messenger, delivery and transportation services operating on or near Parliament Hill.

## Telecommunication and Computer Support Services

Telecommunication, etc.

**31.** Every Member shall be provided with the following goods and services, subject to conditions set by the Board:

(a) computer support services for his or her Parliamentary office; and

(b) telecommunications equipment and services, including equipment and services required for wireless telecommunications and long-distance telephone services.

## Access to Parliamentary Internet

### Definition of “Parliamentary Internet”

**32.** (1) In this section, “Parliamentary Internet” means the Internet services that are made available to Members and accessed through the Parliamentary Precinct Network.

### Conditions of use

(2) In addition to the requirements in subsection 7(2), the following rules apply to the use of the Parliamentary Internet:

(a) the Parliamentary Internet is a service for use by Members and their employees for carrying out Members’ parliamentary functions only;

(b) user accounts and passwords are for use only by the Member and the Member’s employees; and

(c) Members and their employees shall comply with any policy or decision of the Board that relates to the use of the Parliamentary Internet or any other data communication device provided by the House of Commons.

## Language Training

### Language training

**33.** Every Member shall be provided with language training in either official language, subject to conditions set by the Board.

## Division 2

### Travel and Relocation

### Interpretation

### Definitions

**34.** The definitions in this section apply in this Division.

“eligible employee”

« *employé admissible* »

“eligible employee” means an employee of a Member or House Officer who regularly works, and is paid for, a minimum of 15 hours a week.

“layover”

« *escale* »

“layover” means a necessary stop — until the trip can be resumed — that occurs at a place other than the trip destination, in either of the following circumstances:

(a) the stop is necessary because of external factors outside of the control of the traveller, such as a strike or weather-related problems; or

(b) it is necessary in order to make a connecting flight or in order to continue the trip by another means of travel.

“National Capital Region”

« *région de la capitale nationale* »

“National Capital Region” means the region described in the schedule to the *National Capital Act*.

“New York City trip”

« *voyage à New York* »

“New York City trip” means a trip between Ottawa or a Member's constituency and New York City to attend a United Nations meeting.

“parliamentary intern”

« *stagiaire parlementaire* »

“parliamentary intern” means a parliamentary intern from the Parliamentary Internship Programme who has been assigned to a Member.

“primary residence”

« *résidence principale* »

“primary residence” means the residence of a Member that is designated by the Member as the primary residence, and does not include a seasonal or recreational dwelling or a recreational vehicle.

“regular trip”

« *voyage courant* »

“regular trip” means a trip between Ottawa and a Member's constituency.

“secondary residence”  
« *résidence secondaire* »

“secondary residence” means a Member’s residence that is in the National Capital Region other than his or her primary residence, a seasonal or recreational dwelling or a recreational vehicle.

“special trip”  
« *voyage spécial* »

“special trip” means a trip within Canada other than a regular trip.

“trip”  
« *déplacement* »

“trip” means a trip, by any means, to one destination for a particular purpose and that is direct or without any interruption other than a single stop that is not longer than the period determined by the Board and that is not a layover.

“Washington trip”  
« *voyage à Washington* »

“Washington trip” means a trip between Ottawa or a Member’s constituency and Washington, D.C.

## Travel Status

### Resources

**35.** (1) Except as specifically provided in this By-law and subject to conditions set by the Board, a Member is provided with resources under this Division when he or she is on travel status.

### Travel status

(2) A Member is considered to be on travel status when he or she is at least 100 kilometres from their primary residence and is

- (a) on a regular trip;
- (b) on a special trip;
- (c) within the National Capital Region;
- (d) on a Washington trip; or
- (e) on a New York City trip.

### Economical Means of Transportation

## Requirement

**36.** Subject to conditions set by the Board, a Member shall ensure that the most economical and practical means of transportation is used for travel.

## Eligible Travellers

### General

**37.** Subject to conditions set by the Board and as indicated in this Division, a Member may allow the following people to use the resources specified in this Division:

- (a) the Member's designated traveller;
- (b) the Member's dependants;
- (c) the Member's eligible employees; and
- (d) parliamentary interns.

### Designated Traveller

#### Designation

**38.** (1) A Member may designate one individual as a designated traveller other than

- (a) an employee of the Member; or
- (b) a Member who is not the Member's spouse.

#### Validity period

(2) A designation made under subsection (1) is in effect for a minimum 12-month period or for the duration of the Parliament, whichever is shorter, and may be changed by the Member only on or after the anniversary date of the previous designation, or at the beginning of a new Parliament or if the designated traveller dies.

#### Public registry of designated travellers

(3) The Clerk of the House of Commons shall maintain a public registry of designated travellers.

#### Dependants

#### Identify

**39.** A Member shall identify his or her dependants in the form provided by the Chief Financial Officer.

**40. [Repealed]**

Travel Points System

Fiscal year

**41.** Subject to conditions set by the Board, a Member shall be provided, in accordance with a travel points system, 64 travel points each fiscal year or, after a general election or a by-election, a number of points allocated on a pro rata basis.

Allocation of Points to Certain House Officers

Party Leader

**42.** Subject to conditions set by the Board, the Leader of a recognized party, with the exception of the Prime Minister of Canada, shall be provided with an additional 16 points per fiscal year in addition to the points provided in section 41, for a total of 80 points for the year.

Point Usage

Trip

**43.** Subject to conditions set by the Board, each trip, by any class or means of travel, counts as one half of one point.

Travel Status Expense Account and Member's Office Budget

Member

**44.** Subject to conditions set by the Board, a Member may charge expenses for transportation, accommodation and meals, as well as incidental expenses incurred by the Member to either the Travel Status Expense Account or to the Member's Office Budget.

Designated traveller, etc.

**45.** Subject to conditions set by the Board, a Member may charge expenses for transportation, accommodation and meals, as well as incidental expenses incurred by the Member's designated traveller, eligible employees or dependants to the Members' Office Budget.

Transportation Costs Reimbursed

Claim form and content

**46. (1)** Subject to conditions set by the Board, each claim for travel reimbursement shall be in the form established by the Chief Financial Officer, together with any pertinent information, including the purpose of the travel.

Reimbursement limit

**(2)** Subject to conditions set by the Board, the amount reimbursable for travel by any means

shall not exceed the lowest airfare at the class of travel that the traveller is authorized to use.

#### Per Diem Rates

##### Per diem rates

**47.** (1) When a Member is on travel status as described in subsection 35(2), he or she may be reimbursed for meals and incidental expenses as provided for in this By-law at the per diem rate set by the Board in accordance with section 16 of the *Governance and Administration By-law*.

##### Departure and return days

(2) A per diem allowance may be claimed on both the day of departure and the day of return.

##### Meal at no cost

(3) The allowance shall be reduced if a meal was provided at no cost.

#### Accommodation Expenses

##### Travel status

**48.** Where a Member is on travel status as described in subsection 35(2), he or she may be reimbursed for private accommodation or for commercial accommodation if supported by receipts.

#### Employee Travel

##### Parliamentary or constituency office

**49.** (1) Where a Member's employee is required to travel to a destination that is more than 100 kilometres from his or her normal place of work, the employee may be reimbursed for accommodation, supported by receipts, up to a maximum of two weeks for each trip, and for meals and incidentals.

##### Special trips

(2) Where a Member's employee is required to accompany the Member on special trips, the employee may be reimbursed for commercial accommodation supported by receipts or private accommodation expenses, other than at a secondary residence referred to in section 53, and for meals and incidentals.

##### House Officer's employee

(3) Where a House Officer's employee is required to accompany a House Officer on special trips, the employee may be reimbursed for accommodation expenses, meals and incidentals under Part 4.

National caucus research office employee

(4) Where an employee in a national caucus research office is required to accompany a House Officer on special trips, the employee may be reimbursed for accommodation expenses, meals and incidentals under Part 4.

Automobile

Direct route

**50.** (1) Subject to conditions set by the Board, the amount reimbursable for travel by personal vehicle shall correspond to the distance of the most direct and practical driving route.

Personal vehicle

(2) The amount reimbursable for travel by personal vehicle is at a rate per kilometre set by the Board in accordance with section 16 of the Governance and *Administration By-law*, plus any parking, ferry and toll charges.

Chartered Aircraft or Boat

Chartered aircraft or boat

**51.** Subject to conditions set by the Board, the actual cost of travel by chartered aircraft or boat may be reimbursed, on a case-by-case basis, if a Member provides a manifest identifying all passengers aboard the chartered aircraft or boat.

Commuting Expenses

Prohibition

**52.** Subject to section 54, no claim for reimbursement shall be made for any commuting expenses for travel to and from the normal place of work.

Accommodation in the National Capital Region

Reimbursement

**53.** (1) Subject to conditions set by the Board, a Member, other than a Member who represents a constituency within the National Capital Region, shall be reimbursed in amounts to be established by the Board for the following accommodation when he or she is in the National Capital Region in order to perform their parliamentary functions:

(a) private accommodation, other than at a secondary residence referred to in subsection (2);

(b) commercial accommodation, if supported by receipts; or

(c) a secondary residence, including rented or leased accommodation, if supported by receipts.

## Secondary residence

(2) For the purposes of paragraph (1)(c), the Member who owns a secondary residence in the National Capital Region may be reimbursed for accommodation expenses at the rate set by the Board in accordance with section 16 of the *Governance and Administration By-law* for each day that residence is available for the Member's occupancy, and providing that during such time it is not rented to another person or claimed as an expense by another Member.

## Ownership

(3) For the purposes of this section, a Member is considered to own a secondary residence in any of the following circumstances:

(a) the Member wholly owns the secondary residence;

(b) the Member's spouse wholly owns the secondary residence; or

(c) the Member owns the secondary residence jointly with his or her spouse or with any other person.

## Rental

(4) A Member may not be reimbursed for any rented or leased accommodation for which the Member or their immediate family will directly or indirectly benefit.

## Maximum claims

**54.** Members, other than the Prime Minister, the Speaker and the Leader of the Official Opposition, who represent constituencies within the National Capital Region or who have a primary residence within 100 kilometres of Parliament Hill may claim the following expenses, up to the total for the fiscal year set by the Board in accordance with section 16 of the *Governance and Administration By-law*, namely:

(a) breakfast and dinner meals at per diem rates when the Member works 11 hours or more per day when the House is sitting;

(b) accommodation, if supported by receipts, in exceptional or emergency situations when the House is sitting and if the Member's primary residence is located more than 16 kilometres from Parliament Hill; and

(c) commuting between the Member's primary residence and Parliament Hill if the primary residence is more than 50 kilometres from Parliament Hill.

## Relocation

### National Capital Region

**55.** (1) Once per Parliament, Members may relocate their primary residence to the National Capital Region or establish a secondary residence in the National Capital Region.

## Former Members

(2) A Member may relocate away from the National Capital Region to a new or former place of residence in Canada within one year of ceasing to be a Member.

## Reimbursement

(3) Subject to conditions set by the Board, a Member may be reimbursed, if supported by receipts, the actual expenses incurred in relocating the Member, the Member's spouse and dependants residing with the Member, and their personal and household effects.

## Division 3

### Member's Office Budget

#### Budget

#### Budget elements

**56.** (1) Every Member shall be provided with a Member's Office Budget comprised of the following in such amounts as are set by the Board in accordance with section 16 of the *Governance and Administration By-law*:

(a) a basic budget;

(b) a supplement, if the Member's constituency is listed in Schedule 3 of the *Canada Elections Act*;

(c) as applicable, a supplement related to the number of constituents in the Member's constituency; and

(d) as applicable, a geographic supplement related to the size of the Member's constituency.

#### Carry forward

(2) With respect to any unspent portion of the budget described in subsection (1), an amount not exceeding the amount set by the Board in accordance with section 16 of the *Governance and Administration By-law* may be carried forward from one fiscal year to the next.

#### Limitation on expenditures

(3) Effective April 1 of the year of an anticipated general election and until election day, expenditures incurred by a Member shall not exceed on a cash basis 10% of the Member's Office Budget on a month by month cumulative basis.

#### Impacts of election

(4) Following a general election or a by-election and until the end of the fiscal year in which the election was held, the Member's Office Budget shall, for a new Member, be allocated on a pro rata basis taking into account the necessary adjustments resulting from electoral

boundaries readjustments.

#### Re-elected Member

(5) Following a general election and until the end of the fiscal year in which that election is held, a re-elected Member may use the unspent portion of his or her Member's Office Budget.

#### Allowable Use of Member's Office Budget

##### Allowable expenditures

**57.** (1) The Member's Office Budget may be used to pay for goods and services that are not provided by the House of Commons, namely the following expenditures, subject to conditions set by the Board:

(a) expenses for the Member's offices, including

(i) remuneration of employees,

(ii) contracts for professional services,

(iii) commercial design of householder mailings,

(iv) reasonable parking, taxi and public transit incurred within the National Capital Region, if supported by receipts,

(v) legal fees for the review of the constituency office lease by an advocate or a notary of the province of Quebec if the Member's constituency is located in Quebec, and if the Member's constituency is located in any other province or territory, by a barrister or solicitor of that province or territory,

(vi) constituency office rent, utilities, maintenance, repairs and snow removal,

(vii) property and liability insurance,

(viii) fit-up, furniture, furnishings, fittings,

(ix) office supplies,

(x) office equipment,

(xi) transportation of goods acquired for the office,

(xii) constituency office relocation expenses,

(xiii) commercial messenger and courier services,

(xiv) equipment and wireless-network access for any cellular telephones, pagers or personal

digital assistants in addition to those provided under section 31, and

(xv) meeting room rentals;

(xvi) books and reference material in paper or electronic format; and

(b) such travel expenses as are allowed in accordance with this By-law.

#### Advertising expenses

(2) A Member may use a portion of his or her Member's Office Budget, up to the percentage set by the Board in accordance with section 16 of the *Governance and Administration By-law*, for expenses related to advertising, other than that which may be permitted under subsection 7(2), as long as the advertisement includes the Member's name and provides a means of contacting the Member, is in accordance with any content and form requirements set by the Board and is for the purpose of communicating at least one of the following:

(a) the Member's contact information;

(b) the assistance and services provided by the Member to his or her constituents;

(c) announcements of meetings to be attended by the Member in carrying out his or her parliamentary functions;

(d) congratulatory messages or greetings to the Member's constituents; or

(e) other matters in support of the Member's parliamentary functions.

#### Definition of "advertising"

(3) In this section, "advertising" means advertising that is directed at people residing within the constituency of the advertising Member.

#### Miscellaneous Expenditures Account

##### Allowable amount

**58.** (1) Despite any other provisions of this By-law, a Member may use a portion of his or her Member's Office Budget, up to a percentage set by the Board in accordance with section 16 of the *Governance and Administration By-law*, to fund a Miscellaneous Expenditures Account.

##### Other use

(2) Subject to conditions set by the Board, the Miscellaneous Expenditures Account may be used for hospitality expenses and the purchase of gifts given as a matter of protocol.

Petty Cash

Office expenses

**59.** (1) A Member may use a portion of his or her Member's Office Budget up to an amount set by the Board in accordance with section 16 of the *Governance and Administration By-law* as petty cash to pay for allowable office expenses, except remuneration of employees and contracts for professional services.

Requirement

(2) A Member may pay for an expense from the petty cash and, in that case, shall submit to the Chief Financial Officer a receipt in the form provided by the Chief Financial Officer.

More than \$100

(3) If an expense exceeds \$100, the Member may send the bill to the Chief Financial Officer for payment.

**60. [Repealed]**

PART 3

MEMBER'S RESPONSIBILITIES

Responsibilities of Member as Employer

Office employees

**61.** (1) A Member is the employer of the employees in the Member's offices whose salaries are paid from the Member's Office Budget.

Responsibilities of Member

(2) Subject to conditions set by the Board, a Member may

(a) hire employees for the Member's Parliamentary office or constituency office;

(b) specify the employees' titles, duties and hours of work;

(c) subject to the limits set by the Board in accordance with section 16 of the *Governance and Administration By-law*, fix employees' remuneration and terms of service; and

(d) terminate the employment of employees.

Notice

(3) A Member who hires an employee under this By-law shall notify the Chief Human Resources Officer thereof promptly in writing and no later than 30 days after hiring the

employee.

No payment

(4) A Member may not make any payment to an employee in respect of a period of more than 30 days before the notice given under subsection (3).

Member may not employ

**62.** (1) A Member may not hire a member of his or her immediate family, his or her designated traveller or a political party executive as an employee under this By-law.

Other persons excluded

(2) A person employed by the House of Commons, another Member, the Senate, a Senator or the Library of Parliament or by a department, departmental corporation or Crown corporation listed in the schedules to the *Financial Administration Act*, or receiving employment income from the Consolidated Revenue Fund, may not be hired by a Member as a full-time employee.

Exception

(2.1) Despite subsection (2), a Member may hire, as a full-time employee, a person who is a member of the reserve force of the Canadian Forces who is, with the exception of active service as described in subsection 31(1) of the *National Defence Act*, on part-time military service.

Part-time employees

(3) Subsection (2) does not apply to part-time employees. Part-time employees are subject to any restrictions the Board may make on the number of hours a person may work in any one or more positions the person may hold at the House of Commons or any restrictions that may be made under this By-law.

Responsibilities of Member as Contracting Party

Contracts

**63.** (1) Subject to conditions set by the Board, a Member may enter into and terminate contracts for goods and services and contracts for professional services.

Termination clause

(2) All contracts referred to in subsection (1) entered into by a Member shall provide that the contract terminates on the date on which the Member becomes a former Member in accordance with Part 6.

Form of contract

(3) A contract for professional services shall be in the form approved by the Board.

#### Notice

(4) A Member who enters into a contract referred to in subsection (1) shall notify the Chief Financial Officer thereof promptly in writing and no later than 30 days after entering into the contract.

#### No payment

(5) A Member may not make any payment under a contract referred to in subsection (1) in respect of a period of more than 30 days before the notice given under subsection (4).

#### Member's responsibility

**64.** (1) A Member is responsible for all contracts for goods and services, contracts for professional services and leases that are entered into by the Member.

#### Contracts

(2) A Member may charge to the Member's Office Budget only contracts for the carrying out of his or her parliamentary functions.

#### Member may not contract

**65.** (1) A Member may not retain a member of his or her immediate family, his or her designated traveller or a political party executive under a contract for professional services.

#### Other persons excluded

(2) A person employed by the House of Commons, another Member, the Senate, a Senator or the Library of Parliament or by a department, departmental corporation or Crown corporation listed in the schedules to the *Financial Administration Act*, or receiving employment income from the Consolidated Revenue Fund, may not be retained by a Member under a contract for professional services under this By-law.

#### Exception

(2.1) Despite subsection (2), a Member may retain, under a contract for professional services under this By-law, a person who is a member of the reserve force of the Canadian Forces who is, with the exception of active service as described in subsection 31(1) of the *National Defence Act*, on part-time military service.

#### Restriction — immediate family

**66.** (1) No Member or any individual in the Member's immediate family may have any share in or benefit arising from a contract for goods, services or premises entered into by or on behalf of the Member and charged to the House of Commons appropriation.

Restriction — employee

(2) No employee of a Member or House Officer may have any share in a contract referred to in subsection (1) or benefit from it directly or indirectly.

## PART 4

### RESOURCES PROVIDED TO RECOGNIZED PARTIES AND HOUSE OFFICERS

#### Division 1

##### Resources Provided to Recognized Parties

##### National Caucus Research Offices

##### Research office

**67.** (1) Each national caucus of a recognized party shall be provided with a research office the mandate of which is to support its Members and House Officers in carrying out their parliamentary functions.

##### Designate responsible Member

(2) Each Leader of a recognized party shall designate a Member as responsible for the national caucus research office of the party and shall notify the Chief Financial Officer of the designation.

##### Requirements

**68.** (1) The Member who is responsible for a national caucus research office

(a) is the employer of the employees in the national caucus research office whose salaries are paid from the national caucus research office budget; and

(b) shall carry out his or her responsibilities in accordance with the requirements in Divisions 3 to 5 of this Part.

##### Part 1

(2) Except as specifically provided in this Part, the activities of a national caucus research office are subject to the general provisions in Part 1, with the exception of section 13.

##### Research office budget

**69.** (1) Each national caucus research office shall be provided with a budget, under the direction of the Member responsible, in an amount set by the Board in accordance with section 16 of the *Governance and Administration By-law*.

##### Allowable expenditures

(2) The budget may be expended for the payment of salaries for employees in the national caucus research office, for payments to persons retained under contracts for professional services to assist the national caucus research office, for contracts for goods and services and for other expenses specified by the Board.

Carry forward

(3) With respect to any unspent portion of the budget referred to in subsection (1), an amount not exceeding the amount set by the Board in accordance with section 16 of the *Governance and Administration By-law* may be carried forward from one fiscal year to the next.

Impacts of general election

(4) Following a general election and until the end of the fiscal year in which the election was held, the budget of each national caucus research office, established by the Board-approved formula, shall be allocated on a pro rata basis taking into account party representation in the House of Commons.

Separate resources

**70.** The Member shall ensure that the funds, goods, services and premises that he or she receives as the person responsible for the national caucus research office are used and accounted for separately from the resources he or she receives in the capacity of Member or House Officer.

Expenditures

**71.** (1) The Member who is responsible for the national caucus research office may enter into and terminate contracts for goods and services and contracts for professional services.

Form of contract

(2) A contract for professional services shall be in the form approved by the Board.

Manage

**72.** The Member who is responsible for the national caucus research office may designate an employee to manage the operation of the office, including the hiring and termination of employees and the entering into contracts for professional services in relation to the office, in which case the Member shall notify the Chief Financial Officer of the designation.

Goods and services

**73.** Each national caucus research office shall be provided with the following goods and services, subject to conditions set by the Board:

(a) a Parliamentary office;

(b) office furniture, furnishings and office equipment; and

(c) such other goods and services as are necessary to carry out the functions of the national caucus research office.

#### Translation Services Budget

##### Budget

**74.** (1) Subject to conditions set by the Board, the national caucus of each recognized party shall be provided with a translation services budget in an amount set by the Board in accordance with section 16 of the *Governance and Administration By-law* to be used as directed by the Whip.

##### Carry forward

(2) With respect to any unspent portion of the budget referred to in subsection (1), an amount not exceeding the amount set by the Board in accordance with section 16 of the *Governance and Administration By-law* may be carried forward from one fiscal year to the next.

##### Impacts of general election

(3) Following a general election and until the end of the fiscal year in which the election was held, the Translation Services Budget, established by the Board-approved formula, shall be allocated on a pro rata basis taking into account party representation in the House of Commons.

#### Information Technology Budget

##### Allowable expenditures

**75.** (1) Subject to conditions set by the Board, the national caucus of each recognized party shall be provided with an information technology budget in an amount set by the Board in accordance with section 16 of the *Governance and Administration By-law* to be used, as directed by the Whip of the recognized party, for

(a) the purchase of computer equipment, including computers, printers, peripheral hardware and software, and the purchase of consulting services relating to computing, providing such acquisitions are made according to established House of Commons purchasing procedures and with prior approval of the Information Services of the House; and

(b) communication services.

##### Delegation

(2) The Whip may delegate the responsibility for the management of the Information Technology Budget to another House Officer of his or her party.

##### Carry forward

(3) With respect to any unspent portion of the budget referred to in subsection (1), an amount not exceeding the amount set by the Board in accordance with section 16 of the *Governance*

*and Administration By-law* may be carried forward from one fiscal year to the next.

#### Re-assignment

(4) The computers and peripheral hardware provided to the Whip of a recognized party are reassigned as required following a general election based on party representation in the House of Commons.

#### Impacts of general election

(5) Following a general election and until the end of the fiscal year in which the election was held, the Information Technology Budget, established by the Board-approved formula, shall be allocated on a pro rata basis taking into account party representation in the House of Commons.

#### Budget of the National Caucus Meetings

##### Expenditures

**76.** (1) Subject to conditions set by the Board, the national caucus of each recognized party shall be provided with a meeting budget in an amount set by the Board in accordance with section 16 of the *Governance and Administration By-law* to be used for expenses related to national caucus meetings as directed by the Whip or a Member designated by the Leader of the party.

##### Carry forward

(2) With respect to any unspent portion of the budget referred to in subsection (1), an amount not exceeding the amount set by the Board in accordance with section 16 of the *Governance and Administration By-law* may be carried forward from one fiscal year to the next.

#### Impacts of general election

(3) Following a general election and until the end of the fiscal year in which the election was held, the National Caucus Meetings Budget, established by the Board-approved formula, shall be allocated on a pro rata basis taking into account party representation in the House of Commons.

#### Transfer between Budgets

##### Prohibition

**77.** No amounts may be transferred between the budgets referred to in this Division.

#### Division 2

#### Resources Provided to House Officers

#### Application of General Provisions

## Part 1

**78.** Except as specifically provided in this Part, the general provisions of Part 1 apply to House Officers, with the exception of section 13.

### Separate from Member's resources

**79.** A House Officer shall ensure that the funds, goods, services and premises that he or she receives in the capacity of House Officer are used and accounted for separately from the resources he or she receives in the capacity of Member.

### Goods and Services

#### Goods and services

**80.** Every House Officer shall be provided with the following goods and services, subject to conditions set by the Board:

(a) a Parliamentary office;

(b) office furniture, furnishings and office equipment;

(c) such other goods and services as are necessary to carry out the functions of the House Officer.

### House Officer Budget

#### House Officer Budget

**81.** (1) Each House Officer shall be provided with a budget in an amount set by the Board in accordance with section 16 of the *Governance and Administration By-law* for the House Officer's office.

#### Allowable expenditures

(2) The budget may be expended for the payment of salaries for employees, for payments to persons retained under contracts for professional services to assist the House Officer, for contracts for goods and services and for other expenses specified by the Board.

#### Carry forward

(3) With respect to any unspent portion of the budget referred to in subsection (1), an amount not exceeding the amount set by the Board in accordance with section 16 of the *Governance and Administration By-law* may be carried forward from one fiscal year to the next.

#### Impacts of general election

(4) Following a general election and until the end of the fiscal year in which the election was held, the office budget of each House Officer, established by the Board-approved formula, shall be allocated on a pro rata basis taking into account party representation in the House of

Commons.

Transfer between Budgets

(5) Subject to conditions set by the Board, House Officers of a recognized party may transfer amounts between their respective House Officers' Budgets by notifying the Chief Financial Officer thereof in writing.

Division 3

Allowable Expenses

Communications Expenses

Whip

**82.** Subject to conditions set by the Board, the Whip of a recognized party may charge to his or her House Officer's Budget communication expenditures such as telephone calls, facsimile charges, couriers and other similar expenses incurred by House Officers of the party, up to an amount set by the Board in accordance with section 16 of the *Governance and Administration By-law*.

Hospitality Expenses

Speaker, etc.

**83.** The Speaker of the House of Commons and a Leader, House Leader or Whip of a recognized party may charge hospitality expenses to their respective House Officer Budgets up to the amount set by the Board in accordance with section 16 of the *Governance and Administration By-law*.

Deputy Speaker, etc.

**84.** (1) The Deputy Speaker, Deputy Chair of Committees of the Whole House and Assistant Deputy Chair of Committees of the Whole House shall be provided with a hospitality budget in an amount set by the Board in accordance with section 16 of the *Governance and Administration By-law*.

Carry forward

(2) With respect to any unspent portion of the budget referred to in subsection (1), an amount not exceeding the amount set by the Board in accordance with section 16 of the *Governance and Administration By-law* may be carried forward from one fiscal year to the next.

Employee Travel Expenses

Charged to Member's Office Budget

**85.** (1) When an employee of a Member or House Officer, or an employee in a national caucus research office accompanies a House Officer on a trip in accordance with Division 2

of Part 2, the employee's accommodation, meals and incidentals may be charged to the Member's Office Budget of the House Officer.

#### Charged to House Officer's Budget

(2) Subject to section 83, Party Leaders, House Leaders, the Chief Government Whip and the Chief Opposition Whip, except the Prime Minister and the Government House Leader, may also charge the travel expenses of the employee described in subsection (1) against the respective annual hospitality limit of their House Officer's Budget under the following conditions:

(a) hospitality and employees' travel expenses combined cannot exceed \$10,000 or that House Officer's hospitality limit, whichever is greater;

(b) if the hospitality limit is less than \$10,000, those House Officers may charge up to the difference between their hospitality limit and the \$10,000 to their respective annual House Officer's Budget for employee travel expenses;

(c) allowable travel expenses include accommodation, meals, incidentals and transportation only after points for special trips are fully utilized and personally authorized by the House Officer; and

(d) neither the hospitality limit nor the \$10,000 limit can be carried forward from one fiscal year to the next.

#### Division 4

##### Responsibilities of House Officer as Employer

##### Powers of House Officers

##### Responsibilities

**86.** Subject to conditions set by the Board, a House Officer may

(a) hire employees;

(b) specify the employees' titles, duties and hours of work;

(c) subject to limits set by the Board in accordance with section 16 of the *Governance and Administration By-law*, fix employees' remuneration and terms of service; and

(d) terminate the employment of employees.

##### Office employees

**87.** A House Officer is the employer of the employees in the House Officer's office whose salaries are paid from the House Officer's Budget.

## Notice

**88.** (1) A House Officer who hires an employee under this By-law shall notify the Chief Human Resources Officer thereof promptly in writing and no later than 30 days after hiring the employee.

## No payment

(2) A House Officer may not make any payment to an employee in respect of a period of more than 30 days before the notice given under subsection (1).

## House Officer may not employ

**89.** (1) A House Officer may not hire a member of his or her immediate family, his or her designated traveller or a political party executive as an employee under this By-law.

## Other persons excluded

(2) A person employed by the House of Commons, another Member, the Senate, a Senator or the Library of Parliament or by a department, departmental corporation or Crown corporation listed in the schedules to the *Financial Administration Act*, or receiving employment income from the Consolidated Revenue Fund, may not be hired by a House Officer as a full-time employee.

## Exception

(2.1) Despite subsection (2), a House Officer may hire, as a full-time employee, a person who is a member of the reserve force of the Canadian Forces who is, with the exception of active service as described in subsection 31(1) of the *National Defence Act*, on part-time military service.

## Part-time employees

(3) Subsection (2) does not apply to part-time employees. Part-time employees are subject to any restrictions the Board may make on the number of hours a person may work in any one or more positions the person may hold at the House of Commons or any restrictions that may be made under this By-law.

## Division 5

### Responsibilities of House Officer as Contracting Party

#### Expenditures

#### Contracts

**90.** (1) Subject to conditions set by the Board, a House Officer may enter into and terminate contracts for goods and services and contracts for professional services.

## Termination clause

(2) All contracts for professional services entered into by a House Officer shall provide that the contract terminates on the date on which Parliament is dissolved.

## Form of contract

(3) A contract for professional services shall be in the form approved by the Board.

## Notice

(4) A House Officer who enters into a contract referred to in subsection (1) shall notify the Chief Financial Officer thereof promptly in writing and no later than 30 days after entering into the contract.

## No payment

(5) A House Officer may not make any payment under a contract referred to in subsection (1) in respect of a period of more than 30 days before the notice given under subsection (4).

## House Officer's responsibility

**91.** A House Officer is responsible for contracts for goods and services and contracts for professional services entered into by the House Officer.

## House Officer may not contract

**92.** (1) A House Officer may not retain a member of his or her immediate family, his or her designated traveller or a political party executive under a contract for professional services.

## Other persons excluded

(2) A person employed by the House of Commons, another Member, the Senate, a Senator or the Library of Parliament, or by a department, departmental corporation or Crown corporation listed in the schedules to the *Financial Administration Act*, or receiving employment income from the Consolidated Revenue Fund, may not be retained by a House Officer under a contract for professional services under this By-law.

## Exception

(2.1) Despite subsection (2), a House Officer may retain, under a contract for professional services, a person who is a member of the reserve force of the Canadian Forces who is, with the exception of active service as described in subsection 31(1) of the *National Defence Act*, on part-time military service.

## Restriction — immediate family

**93.** (1) No House Officer or any individual in the House Officer's immediate family may have any share in or benefit arising from a contract for goods, services or premises entered into by or on behalf of the House Officer and charged to the House of Commons

appropriation.

Restriction — employee

(2) No employee of a Member or House Officer may have any share in a contract referred to in subsection (1) or benefit from it directly or indirectly.

Place of Work

**93.1** (1) No employee of a Member or House Officer may have as their regular place of work any space in premises owned, leased or under the effective control of a political party.

(2) Subsection (1) applies to contractors.

(3) Contravention of subsection (1) constitutes grounds for dismissal with due notice.

(4) Within 48 hours of learning of a contravention of subsection (1), the relevant Member or House Officer shall report the same to the Clerk in writing, together with a statement indicating whether the employee or contractor has been terminated, or reasons why termination has not been effected.

(5) The Clerk shall inform the Board within 5 days of receiving a report mentioned in subsection (4).

(6) This section is repealed effective on the dissolution of the 41st Parliament.

(7) This section becomes effective April 14, 2014.

## PART 5

### DISSOLUTION OF PARLIAMENT

Interpretation

Definitions

**94.** The definitions in this section apply in this Part.

“dissolution period”

« *période de dissolution* »

“dissolution period” means the period that starts on the expiration of the day immediately before dissolution of Parliament and ends on the expiration of the day on which the general election is held, Eastern standard time.

“Member”

« *député* »

“Member” means a person who was a Member of the House of Commons immediately

before a dissolution.

## General

### Election activities

**95.** (1) For greater certainty, election activities are not considered to be parliamentary functions and a Member may not use, for election activities, the funds, goods, services or premises that are provided by the House of Commons.

### Constituency office

(2) A Member's constituency office may not be used as the Member's campaign headquarters.

### Service to constituents

(3) During a dissolution period, a Member may use the Member's Parliamentary office and constituency office for service to individual constituents only.

## Services

### Ten days

**96.** (1) The services provided under this By-law and by statute for translation, mailing, franking, external access to Internet/Intranet computer servers of recognized parties and remote access service to the House of Commons are available to the Member for only 10 days following a dissolution of Parliament.

### Translation services

(2) Despite subsection (1), the Member may continue to use the translation services for the purpose of responding to correspondence from his or her constituents.

## Members and House Officers

(3) Despite subsection (1), first class mail and courier services provided to Members and to House Officers, except those referred to in paragraphs 102(1)(a) and (b), may be paid from their respective budgets in an amount set by the Board in accordance with section 16 of the *Governance and Administration By-law* during a dissolution period.

### Information technology

(4) Despite subsection (1) and subject to conditions set by the Board, photocopy services other than for correspondence from their Parliamentary office to the constituency office and training on the use of information technology shall cease upon the dissolution of Parliament.

### National caucus research office

**97.** Each national caucus research office shall cease its activities upon the dissolution of

Parliament.

Employees

Use of Member's Office Budget

**98.** Subject to conditions set by the Board, during a dissolution period, a Member may continue to use the Member's Office Budget to pay employees and to hire new employees at the same or lower rate to replace any who leave.

Contracts

Prohibition

**99.** No contracts for goods and services or contracts for professional services may be entered into or extended during a dissolution period.

Use of Member's Office Budget

**100.** During a dissolution period, a Member may continue to use the Member's Office Budget for the payment of contracts for goods and services and contracts for professional services entered into before the date of dissolution.

Travel

Member

**101.** (1) Subject to conditions set by the Board, a Member shall be reimbursed for one return trip between the Member's constituency and Ottawa and for accommodation, meals and incidental expenses for every week or portion thereof in a dissolution period.

Designated travellers and others

(2) A Member may allocate to a designated traveller or his or her dependants any or all of the trips described in subsection (1) and up to three of those trips to the Member's employees.

No claims for travel within constituency

(3) No claim may be made for travel in the constituency during a dissolution period.

House Officer Budget

Prohibition

**102.** (1) Despite Part 4, the budgets of the following House Officers may not be used for any purpose during a dissolution period, namely,

(a) the Deputy Chair and Assistant Deputy Chair of Committees of the Whole House; and

(b) the national caucus Chair of a recognized party.

#### Chair of the national caucus

(2) Despite Part 4, the office budget of the national caucus Chair of a recognized party shall be made available to the Whip of that party after the election and until the appointment of a new national caucus Chair.

#### Use of House Officer Budget

**103.** During a dissolution period, a House Officer may continue to use his or her House Officer Budget for the payment of contracts for goods and services and contracts for professional services entered into before the date of dissolution.

#### National Caucus Research Office Budget

##### Use of budget

**104.** During a dissolution period, the Member who is responsible for the national caucus research office may continue to use the budget of that office for the payment of contracts for goods and services entered into before the date of dissolution.

#### Information Provided by Board

##### Funds, goods, services and premises

**105.** Upon a dissolution of Parliament, the Board shall send to every Member information on the funds, goods, services and premises available to that Member during the dissolution period, the limitations on the use of those resources and the way in which the use is governed by the Canada Elections Act.

## PART 6

### FORMER MEMBERS

#### Interpretation

#### Definitions

**106.** The definitions in this section apply in this Part.

“former Member”  
« *ancien député* »

“former Member” means a Member who resigned, did not seek re-election or was not re-elected or died.

“resign”

« *démissionner* »

“resign” includes the loss of seat by operation of law.

Former Member

Effective date

**107.** (1) The effective date as of which a Member becomes a former Member is as follows:

(a) if the Member resigns, the date of the resignation or date of the declaration of vacancy by the Speaker; and

(b) if the Member is not re-elected, on the expiration of the day on which the general election is held, Eastern standard time, or in the case of a judicial recount, the date of receipt of the certificate referred to in section 308 of the *Canada Elections Act*.

Deemed effective date

(2) For the purposes of this Part, a Member who did not seek re-election is deemed to have become a former Member as of the date of the general election.

Services to Constituents

Vacancy

**108.** (1) In the case of a vacancy resulting from the resignation of a Member, services to constituents provided through the former Member's Parliamentary office or constituency office shall be continued by

(a) the Whip of the former Member's party, who shall manage the day-to-day operations of the offices and the selection and setting of remuneration of employees; or

(b) the Speaker, in the case of an independent Member, who shall manage the day-to-day operations of the offices and the selection and setting of remuneration of employees.

If not seeking re-election

(2) A Member who does not seek re-election shall vacate his or her Parliamentary office and his or her constituency office no later than election day.

If not re-elected

(3) A Member who seeks re-election and is not re-elected shall vacate his or her Parliamentary office within 17 days of election day and his or her constituency office within 30 days of that date.

Death of Member

(4) The offices of a deceased Member shall be maintained in the manner provided in

subsection (1), in order to serve the deceased Member's constituents and to complete or transfer files of the deceased Member.

#### Employees

60 days

**109.** (1) Subject to subsection (3), employees of a former Member are paid by the House of Commons for 60 days after the day on which the Member becomes a former Member.

#### Notice deemed received

(2) Employees of a Member are deemed to have received 60 days' notice of termination after the day on which the Member becomes a former Member or the date of the by-election, as the case may be.

#### Vacancy

(3) In the case of a vacancy resulting from the resignation or death of a Member, not more than two full-time employees may be maintained as employees in either the Parliamentary office or in the constituency office, or one employee at each location, at the discretion of the Whip of the former Member's party, or at the discretion of the Speaker if the Member was an independent Member, to the date of the by-election, after which time the employees are to be paid by the House of Commons for up to 60 days.

#### Engage replacements

(4) The Whip of the former Member's party or the Speaker in the case of an independent Member may engage a person, up to the date of the by-election, to replace an employee referred to in subsection (3).

#### Determination

**110.** (1) Following the Member's death, the Whip of that Member's party or the Speaker in the case of an independent Member may take up to 10 working days to determine the employees referred to in section 109.

#### Office budget

(2) Until the determination is made under subsection (1), the employees' salaries are paid out of the Member's Office Budget.

#### Winding-up

#### Reimbursement

**111.** A Member who seeks re-election and is not re-elected shall be reimbursed, as a former Member, for expenses such as temporary storage and help, as directed by the Board, that are related to the winding-up of the Member's parliamentary functions and offices and that are incurred within three months after the Member becomes a former Member, up to an amount

set by the Board in accordance with section 16 of the *Governance and Administration By-law*, and may transfer any unspent portion of the amount for the purposes described in section 113.

#### Funds and assets

**112.** Former Members are responsible for accounting for the use of funds provided by the House of Commons and for returning any assets in his or her possession that belong to the House of Commons.

#### Resettlement

#### Reimbursement

**113.** A Member who is not re-elected or who does not seek re-election shall be reimbursed, as a former Member, for resettlement expenses that are incurred within a year of the Member leaving office and for services in Canada related to financial planning, retirement, re-employment or stress management counselling, outplacement, education or retraining, up to an amount set by the Board in accordance with section 16 of the *Governance and Administration By-law*.

#### If not seeking re-election

**114.** (1) A Member who does not seek re-election shall be reimbursed, as a former Member, for four return trips that are taken in Canada for resettlement purposes from the date of dissolution of Parliament and up to 12 months after election day.

#### If not re-elected

(2) A Member who is not re-elected shall be reimbursed, as a former Member, for four return trips that are taken in Canada for resettlement purposes within 12 months of election day.

#### Trips

#### Trips between Ottawa and constituency

**115.** (1) Subject to conditions set by the Board, a Member who is not re-elected or who does not seek re-election and the Member's designated traveller and dependants shall be reimbursed for two return trips each that are taken within 30 days of election day between Ottawa and the constituency.

#### Member who resigns

(2) Subject to conditions set by the Board, a Member who resigns shall be reimbursed for one return trip between Ottawa and the constituency that is taken within 30 days of the effective date — as described in paragraph 107(1)(a) — of the resignation.

#### Deceased Member

**116.** In the case of a deceased Member, the Board may specify a number of return trips

between Ottawa and the constituency that may be reimbursed to the deceased Member's designated traveller, dependants or employees in order to complete or transfer files of the deceased Member.