

To: Members of the House of Assembly
From: Clerk of the House of Assembly
Date: July 11, 2008
Subject: Rule Amendment – Committee Per Diem

At the June 4 meeting, the Commission approved Committee Per Diems for eligible Members who serve on various committees of the House of Assembly and directed this be reflected in appropriate rule amendments. **CM 2008 – 059** refers. The authority for an amendment respecting allowances falls under subsection 15(5) and section 64 of the *House of Assembly Accountability, Integrity and Administration Act*. The procedure is as follows:

1. A draft of the proposed amendment must be prepared.
2. The draft amendment must be tabled before a Management Commission meeting
3. Notice of the tabling must be:
 - (a) given by the Speaker to the House of Assembly if in session; OR
 - (b) given to every MHA if the House of Assembly is not in session
4. The draft amendment and notice must be posted on the House of Assembly website.
5. The draft amendment must be voted upon at a subsequent meeting of the Management Commission.
6. The approved amendment is signed by the Speaker and forwarded to the Legislative Council Office for preparation for Gazetting.
7. The rule is returned for the signature of the Speaker and is then Gazetted through the Legislative Council Office.

This memo serves to address the requirement of paragraph 15(5)(b) regarding appropriate notice to Members.

The following draft amendment to the *Members' Resources and Allowances Rules* was tabled and approved at the July 3, 2008 meeting of the House of Assembly Management Commission.

The text of all amendments is subject to final drafting of the subordinate legislation by the Office of Legislative Counsel.

Section 45 of the *Members' Resources and Allowances Rules* is repealed and the following is substituted:

Committee allowance

- 45 (1) A member who is a member of a standing or select committee of the House of Assembly, the commission or a committee of the commission may claim for

reasonable expenses related to attendance at a committee or commission meeting when the House of Assembly is not in session.

- (2) A member who is a member of a standing or select committee of the House of Assembly, the commission or a committee of the commission, other than a chair, may claim a daily amount of \$145 for attendance at a committee or commission meeting when the House of Assembly is not in session.
- (3) A member who is a chair of a standing or select committee of the House of Assembly, the commission or a committee of the commission may claim a daily amount of \$190 for attendance at a committee or commission meeting when the House of Assembly is not in session.
- (4) Subsections (2) and (3) shall not apply to a member who is a minister or who holds a position referred to in subsection 12(1) of the Act.
- (5) Reasonable expenses claimed under subsection (1) shall be
 - (a) in accordance with the Travel and Allowance rates permitted under these Rules; and
 - (b) approved by the Speaker before being reimbursed to the member.

The draft amendment will be posted on the House of Assembly website and voted on at the next meeting of the Commission. The rule will become effective on the date it is Gazetted. The Act does not provide for the retroactive application of amendments to rules.