



Newfoundland & Labrador

HOUSE OF ASSEMBLY MANAGEMENT COMMISSION

DIRECTIVE

Directive Number 2010-007

Effective Date: March 31, 2010	Commission Minute: CM 2010-033
Subject: Automobile Allowance and Expense Policy (for the Speaker, the Leader of the Official Opposition and the Leader of the Third Party)	Reference: HOAMC Meeting, March 24, 2010 Agenda Item Tab No. 5
Issued To: All Members of the House of Assembly; Comptroller General; Directors of Government Accounting, Professional Services and Internal Audit, Financial Systems Control, and Corporate Services; Office of the Auditor General; Office Managers of Government Caucus, Official Opposition Caucus, NDP Caucus; Assistant Deputy Clerk, Executive Council; Director of Operations, Office of the Premier.	Contact: Marlene Lambe Chief Financial Officer 729 – 2923

BACKGROUND

The Commission, by **CM 2008-010** and **CM 2008-020**, adopted the Ministerial Expenses Reimbursement Policies to address expenses incurred by the Speaker, the Leader of the Opposition and the Leader of the Third Party while performing the duties of these offices, separate from their duties as Members, in the same manner as Ministers.

On December 22, 2009, Royal Assent was given to amendments to the *House of Assembly Accountability, Integrity and Administration Act* which confirmed the automobile allowance that was in place for the Speaker of the House of Assembly, the Leader of the Opposition and the Leader of the Third Party, with retrospective application to June 14, 2007. The amendments provided clarity on the entitlement of the three officers to receive an allowance or expense amount and established authority for the Commission to make rules and directives on the entitlement. Adjustments to the allowance may only be made in response to recommendations by Members' Compensation Review Committees. **CM 2009-070 refers.**

The attached Automobile Allowance and Expense Policy replaces section 2.1 to 2.6 and 2.9 to 2.13 of the Ministerial Expenses Reimbursement Policies adopted by **CM 2008-010** and **CM 2008-020**.

DIRECTIVE

The Commission approved the Automobile Allowance and Expense Policy, dated March, 2010.

William MacKenzie
Clerk of the House of Assembly



House of Assembly

Automobile Allowance and Expense Policy

**For the Speaker, the Leader of the Official Opposition
and the Leader of the Third Party**

March, 2010

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1.0 Approval

Under the authority of subparagraph 20(6)(b)(ii) of the *House of Assembly Accountability, Integrity and Administration Act* (the Act), the House of Assembly Management Commission establishes this Automobile Allowance and Expense Policy for the Speaker, the Leader of the Official Opposition, and the Leader of the Third Party, who for the purpose of this Automobile Policy will be referred to as “an officer” or “officers”.

2.0 Purpose

The purpose of this policy is to establish parameters regarding the automobile allowance and expenses for the three officers.

3.0 Policy

This policy replaces **section 2.1 to 2.6 and 2.9 to 2.13** of the Ministerial Expenses Reimbursement Policies as adopted by the Commission. Sections 2.7, 2.8, 2.14 and 2.15 of this policy regarding rental vehicles and use of taxis continue in force.

4.0 General

The officers may, with respect to duties related to their offices, choose for each fiscal year one of the following reimbursement methods:

- Option 1. Automobile Allowance and Gasoline; or
- Option 2. Automobile Expense Reimbursement Based on Mileage Claims

The option selected for an upcoming fiscal year must be made not later than March 31 of the previous fiscal year. The selected option will be effective for the duration of the fiscal year.

If an officer assumes office after the commencement of a fiscal year, one of the options must be chosen for the remainder of the fiscal year.

5.0 Option 1: Automobile Allowance and Gasoline

Where an officer chooses the automobile allowance, he or she is not eligible for reimbursement of automobile expenses referred to in Option 2 when carrying out the duties of his or her office or when carrying out constituency or other duties as a Member of the House of Assembly.

5.1 Automobile Allowance

The annual automobile allowance shall be \$8,000 payable as a lump sum at the commencement of the fiscal year or throughout the fiscal year as a prorated portion of the allowance.

5.2 Gasoline

In addition to the automobile allowance, the officer is entitled to claim the cost of gasoline.

5.3 Taxable Benefits

The automobile allowance under 5.1 and reimbursed expenses under 5.2 are taxable benefits under the *Income Tax Act* (Canada).

5.4 Adjustments to Allowance

Adjustments to the allowance can only be made in response to recommendations by Members' Compensation Review Committees.

6.0 Option 2: Automobile Expense Reimbursement Based on Mileage Claims

An officer who chooses reimbursement based on mileage claimed is not entitled to the \$8,000 annual automobile allowance or to reimbursement for consumable liquids.

6.1 Entitlement

An officer is entitled to be reimbursed for travel in his/her own vehicle in order to carry out duties related to his or her office. The officer may claim reimbursement for the number of kilometers reasonably necessary to accomplish the travel objectives multiplied by the rates payable to government employees who are required to use private vehicles as a condition of employment (i.e. the two-tiered rate).

6.2 Logged Distances

The logged distances must approximate distances calculated in accordance with the Newfoundland and Labrador Road distance data base.

6.3 Vehicle Travel Log

In order to claim an automobile expense, a vehicle travel log shall be maintained detailing the automobile usage related to the duties of the officer. The officer shall record the dates and destinations of a trip, including the number of kilometres actually and reasonably traveled in connection with the trip.

7.0 Administrative Matters

7.1 Option 1: Reimbursement of Expenses

When claiming reimbursement of gasoline, detailed original receipts indicating proof of payment must be forwarded to Human Resources Services and Payroll Administration, Corporate and Members' Services Division.

7.2 Option 2: Reimbursement of Expenses

When claiming reimbursement for the use of private automobiles, an officer must provide the detailed Private Vehicle Usage information on, or attached to, an Expense Claim and forward to Accounts Payable, Corporate and Members' Services Division.