

**The National Assembly for Wales  
(Assembly Members and Officers)  
(Salaries, Allowances etc.)  
Determination  
2002**

**Fees Office**

**March 2002**

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# 1. INTRODUCTION, DEFINITIONS AND GENERAL PROVISIONS

## 1.1. Introduction

1.1.1. This Determination is made by the National Assembly for Wales under sections 16 (1) and (2), 18 and 34A of the Government of Wales Act 1998 and may be referred to as the National Assembly for Wales (Assembly Members and Officers) (Salaries, Allowances etc.) Determination 2002 and shall come into force on 15 March 2002.

1.1.2. The Determination sets out the salaries and allowances payable to Assembly Members with effect from 1 April 2001. Subject to any saving and transitional provisions which it contains, this Determination supersedes the National Assembly for Wales (Assembly Members and Officers) (Salaries, Allowances etc.) (No 2) Determination 2001 which shall cease to apply.

## 1.2. Definitions

1.2.1. Unless the context otherwise requires, the following words and phrases shall have the meaning shown.

Cardiff	Any point within a five mile radius centred on the National Assembly building at Cardiff bay
National Assembly for Wales overnight subsistence rate	The rate which an official of the National Assembly for Wales would receive for the same purpose.
Main home	The home which a Member has registered with the Fees Office. This should be the normal family home occupied by the Member for most of the time on which the Member would normally pay full Council Tax.
Salary	The gross amount payable to a Member before any deductions e.g. income tax and National Insurance contributions
year	the 12 months ending with 31 <sup>st</sup> March

1.2.2. Other terms used shall have the same meaning as in the Government of Wales Act 1998 (“the Act”) or, as the case may be, the Standing Orders of the Assembly.

## 1.3. Members’ Allowances

1.3.1. Allowances are only payable in respect of expenditure necessarily incurred for Assembly business.

## 1.4. Presiding Officer’s decision

1.4.1. Any questions of entitlement to an allowance shown in this Determination shall be decided by the Presiding Officer.

## **1.5. Part Year Allowances**

1.5.1. The allowances specified below are expressed as a financial limit for a year so that such allowances payable to a Member who enters or leaves the Assembly part way through a year will be limited on a pro-rata basis. In general terms Members are not restricted to any limit for claiming on a month by month basis but a refund may in some cases have to be made when a Member ceases to be a Member in the course of the financial year, for example if a Member has claimed a full year's allowance by the beginning of December and left the Assembly in mid December.

Additional Costs Allowance  
Office Costs Allowance  
Staff Salaries Allowance

## **1.6. Annual Uprating**

1.6.1. The following allowances will be increased with effect from 1 April 2002, and on the same date each year thereafter, in accordance with the increase over the previous year in the UK Retail Price Index for March.

Additional Costs Allowance  
Office Costs Allowance  
Staff Salaries Allowance  
Bicycle Allowance  
Funding for groups

## **1.7. Vouchers and Receipts**

1.7.1. An Assembly Member who desires to claim an allowance shall submit their claim for payment of the allowance at such time and in such manner as the Presiding Officer may specify and the Presiding Officer may specify different times and different manners for different claims.

1.7.2. Without prejudice to the generality of paragraph 1.7.1, the Presiding Officer may specify that a claim for an allowance shall be accompanied by such vouchers and other documents in support of the claim as he considers appropriate

1.7.3. In any case, claims in respect of any invoices and receipts may only be submitted where the invoice or receipt is addressed to the Assembly Member concerned or a member of their support staff and not where the invoice/receipt is addressed to a third party (such as a constituency party) unless satisfactory documentary proof is produced to confirm that the expenditure relates solely to Assembly business.

## **1.8. Prompt submission of claims**

1.8.1. Claims should be submitted within three months of the end of the month to which the expenditure relates. Claims submitted after this should be accompanied by an explanation for the delay. The acceptability of such late claims will be considered by the Fees Office, acting on behalf of the Presiding Officer. In cases of doubt, or where novel or contentious issues are involved, the Fees Office will refer the matter to the Presiding Officer for a decision.

## **2. MEMBERS' SALARIES**

### **2.1. Amount Payable**

2.1.1. The salary payable to Members with effect from 1<sup>st</sup> April 2001 is £38,000 p.a.<sup>1,2</sup>.

2.1.2. Members who hold any of the following offices shall be entitled to receive an additional salary as follows:

Assembly First Secretary	£68,158 p.a.
Assembly Secretary/Presiding Officer/ Leader of the largest party not represented in the Assembly Cabinet	£35,357 p.a.
Deputy Presiding Officer	£22,145 p.a.
Chairs of Subject Committees established in accordance with section 57 of the Act	£5,150 p.a.

2.1.3. A Member who holds more than one of the offices specified in paragraph 2.1.2 is entitled to receive only one of these salaries and the salary payable shall be that in respect of the higher or, as the case may be, highest paid office.

### **2.2. Annual Up-rating**

2.2.1. The salary payable to Members with effect from 1<sup>st</sup> April 2002 is £41,500 p.a..

2.2.2. Members who hold any of the following offices shall be entitled to receive an additional salary as follows:

Assembly First Secretary	£69,862 p.a.
Assembly Secretary/Presiding Officer/ Leader of the largest party not represented in the Assembly Cabinet	£36,241 p.a.
Deputy Presiding Officer	£22,700 p.a.
Chairs of Subject Committees established in accordance with section 57 of the Act	£5,280 p.a.

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<sup>1</sup> Assembly Members who are also Members of Parliament or Members of the European Parliament will have their Assembly salary reduced by two-thirds in accordance with the National Assembly for Wales (Assembly Members)(Salaries)(Limitation)Order 1999 (SI 1999 No 1083)

<sup>2</sup> A Member's salary does not become payable until he/she has taken the oath or made affirmation required by law in accordance with section 20 of the Government of Wales Act 1998



2.2.3. A Member who holds more than one of the offices specified in paragraph 2.2.2 is entitled to receive only one of these salaries and the salary payable shall be that in respect of the higher or, as the case may be, highest paid office.

2.2.4. The salaries of Members and office-holders specified in paragraphs 2.2.1 or 2.2.2 shall be uprated from 1 April 2003, and on the same date of each year thereafter, by the relevant percentage by which the mid-points of the Senior Civil Service pay bands having effect from 1<sup>st</sup> April of the year concerned have increased compared with the previous 1<sup>st</sup> April.

### **2.3. *Payment of Salaries***

2.3.1. Members' salaries shall be paid monthly in arrears on the last working day of each month. Payment shall be made direct to the Member's account by electronic transfer (Bankers Automated Clearing Services - BACS).

### **3. ADDITIONAL COSTS ALLOWANCE FOR EXPENSES NECESSARILY INCURRED IN STAYING OVERNIGHT AWAY FROM HOME**

#### **3.1. Purpose and Amount**

3.1.1. The Additional Costs Allowance reimburses Members for expenses necessarily incurred in staying overnight away from their main home for the purpose of performing their duties as a Member.

3.1.2. Different levels of Additional Costs Allowance apply depending on the location of a Member's main home.

#### **3.2. Lower level - Inner area Members**

3.2.1. Subject to the provisions of this Section, Members whose main home is located within one of the following constituencies shall be entitled to a lower level of Additional Costs Allowance.

Caerphilly	Cardiff Central	Cardiff North
Cardiff South and Penarth	Cardiff West	Newport East
Newport West	Pontypridd	Vale of Glamorgan

3.2.2. Members who are eligible for the lower level of Additional Costs Allowance may claim an amount not exceeding £3,200 in any year.

3.2.3. The lower level of Allowance is payable in respect of the actual cost of any overnight stay away from home.

#### **3.3. Higher level - Outer area Members**

3.3.1. Subject to the provisions of this Section, Members whose main home is not located within one of the constituencies listed in paragraph 3.2.1 will be entitled to a higher level of Additional Costs Allowance.

3.3.2. Members who are eligible for the higher level of Additional Costs Allowance may claim an amount not exceeding £10,500 in any year.

3.3.3. The higher level of Allowance is payable in respect of the actual cost of any overnight stay away from home. It is also payable in respect of costs to the Member of providing a second home in Cardiff covering items such as furniture, mortgage interest and rent. Purchases of individual items of furniture or other individual items costing more than £1,000 shall be referred to the Fees Office for approval prior to incurring expenditure.

3.3.4. Members who claim for reimbursement of mortgage interest on a second home must, at least once in any twelve month period, submit a statement of interest paid in order that any adjustment in interest rates may be accounted for.

## **4. MEMBERS' NORMAL TRAVEL**

### **4.1. Introduction**

4.1.1. This Section deals with travel on Assembly business by Assembly Members within Wales (referred to as “normal travel”); it does not cover travel on Assembly business in other parts of the UK or elsewhere (see Sections 5 and 8). Subject to what is said in Section 4.2.1, a Member may travel by road, rail, air or sea on the journeys specified in paragraph 4.1.2 at public expense provided that the journey is necessarily undertaken for the purpose of discharging their responsibilities as an Assembly Member.

4.1.2. A Member may only claim reimbursement for any journey to the extent that it is not reimbursed by another source, even though a particular journey may cover business on behalf of the Assembly and other organisations.

### **4.2. General Principles**

4.2.1. Members are expected to travel by the most cost effective means, taking into account the actual cost of the travel and the cost of any overnight stay expenses. However, the time involved in a journey may also be taken into account and where benefits from savings in a journey time can be demonstrated, exceptionally it may be possible to claim at a higher rate of reimbursement. A Member who, in the opinion of the Presiding Officer, does not travel by the most cost effective means may have the amount of his/her claim abated by an appropriate amount.

### **4.3. Normal Travel**

4.3.1. Subject to Section 4.2.1, a Member is entitled to travel at the expense of the Assembly when travelling on Assembly business by any reasonable route .

### **4.4. Travel by Road**

4.4.1. Subject to Section 4.2.1, a Member may undertake normal travel by car and claim a mileage allowance based on the actual mileage travelled.

### **4.5. Mileage Rates**

4.5.1. Members may claim Motor Mileage Allowance based on the following values:

	<b>Up to 20,000 miles in the year (pence per mile)</b>	<b>Over 20,000 miles in the year (pence per mile)</b>
Motor Mileage Allowance	45	25

4.5.2. Claims must be based on the personal use of a car by the Member at his/her personal expense. i.e. ownership or hire arrangements.

4.5.3. A Member may also claim for other expenses necessarily incurred such as parking fees, tolls and transport of the vehicle by ferry. Passenger supplements are not payable.

4.5.4. Members may claim Motor Cycle Allowance based on the following values:

	<b>Up to 20,000 miles</b> in the year (pence per mile)	<b>Over 20,000 miles</b> in the year (pence per mile)
Motor Cycle Allowance	22.1	9

4.5.5. Travel by bicycle will be paid at a rate of 6.9 pence per mile for all miles claimed.

4.5.6. The level of Motor Mileage Allowance and Motor Cycle Allowance will be increased from time to time by the same percentage as the mileage rates applicable to Assembly officials.

#### **4.6. Allowable Return Journeys**

4.6.1. Where a Member uses a car for travel from the registered home to the nearest suitable railway station or airport the cost of the return journey may be claimed if undertaken by another person. A similar return journey is allowed where the Member is driven to the constituency from the registered home and then travels on to Cardiff by train.

#### **4.7. Travel by Taxi**

4.7.1. Subject to Sections 4.2.1, 4.7.2 and 4.7.3, if a Member undertakes normal travel by taxi on Assembly business they shall be entitled to claim reimbursement not exceeding the higher rate of the Motor Mileage Allowance specified in section 4.5.1.

4.7.2. If it was not reasonably practicable for the member to travel other than by taxi, they shall be entitled to claim the actual level of expense incurred by them.

4.7.3. In any event the maximum amount that a Member can claim by way of reimbursement under this allowance is the actual level of expense incurred by them.

#### **4.8. Travel by Hire Car**

4.8.1. Subject to Section 4.2.1, if a Member undertakes normal travel by hire car on Assembly business they shall be entitled to claim the actual level of expense incurred by them.

#### **4.9. Rail Travel**

4.9.1. Subject to Section 4.2.1, a Member who uses their personal funds for normal travel by rail shall be entitled to claim the actual level of expense incurred by them. Assembly Members may travel by either First or Standard class depending on personal preference and availability.

#### **4.10. Travel by Air**

4.10.1. Subject to Section 4.2.1, a Member is entitled to claim the cost to them of travel by scheduled air transport for normal travel. A Member is entitled to claim the cost of travel by private or chartered aircraft for normal travel arrangements up to a maximum cost of the journey had it been made by scheduled air transport .

## **5. EXTENDED TRAVEL**

### **5.1. Introduction**

5.1.1. In addition to journeys under "normal travel" arrangements (Section 4) a Member may also travel elsewhere in the UK at public expense on Assembly business under "extended travel allowance", provided that the reason for the journey meets one of the following criteria:

- It is for a stated Assembly reason
- It is related to a matter currently before the Assembly or one of its Committees on which the Member serves
- It is pertinent to a constituent or has relevance as a general constituency interest

5.1.2. A Member is entitled to claim extended travel allowance for any journey to the extent that it is not reimbursed by another source, even though a particular journey may cover business on behalf of the Assembly and other organisations. A Member is entitled to claim extended travel allowance only where the journey to which the claim relates has been agreed in advance with the Fees Office. The acceptability of any other claims for extended travel allowance not so agreed will be at the discretion of the Presiding Officer.

### **5.2. Amounts and Conditions**

5.2.1. The levels of allowance and the conditions subject to which they are paid set out in Section 4 will apply to extended travel.

## **6. SPOUSE AND CHILDREN'S TRAVEL**

### **6.1. *Limit on Number of Journeys***

6.1.1. A Member is entitled to claim for the cost to them of his/her spouse and any child under the age of eighteen making a journey by public transport between Cardiff and the constituency, or Cardiff and the Member's registered home. Members do not need to travel with their family. However, a Member may only claim for 12 single journeys in each year for members of their family.

6.1.2. A return journey counts as two single journeys.

### **6.2. *Definition of Child***

6.2.1. A child for the purpose of this allowance includes a step child, an adopted child, a foster child, or any other child living as one of the Member's family who has not yet reached the age of eighteen.

### **6.3. *Travel by Car***

6.3.1. The spouse of a Member and any child under the age of eighteen years may travel by car as an alternative to travelling by public transport between Cardiff and the constituency, or Cardiff and the Member's registered home. In such cases the Member may claim the appropriate mileage rate. Claims for a spouse's travel by car should be made separately from the Member's own car travel. The mileage rates applied will be those published for Members. Any such journey shall count against the total entitlement of 12 single journeys for the year.

### **6.4. *Direct payment to spouse or child***

6.4.1. The Member may instruct the Fees Office to pay any amount claimed under this allowance directly to the spouse or child concerned.



## **7. TRAVEL BY MEMBERS' STAFF**

### **7.1. *Limit on Number of Journeys***

7.1.1. Each Member is entitled to claim the cost to them of a member of their staff making up to a total of 18 single journeys by public transport each year between Cardiff and the Member's constituency for support staff who are paid on the Member's behalf from the Staff Salaries Allowance, funding for groups or Temporary Staffing Allowance.

### **7.2. *Travel by Car***

7.2.1. A Member may claim the cost to him/her of his/her staff making car journeys between Cardiff and the Member's Constituency. The mileage rate payable for the journey will be as directed by the Member subject to a maximum amount equal to that allowed to the Member for the same journey. Any such journey shall count against the total entitlement of 18 single journeys for the year.

### **7.3. *Direct payment to staff***

7.3.1. The Member may instruct the Fees Office to pay any amount claimed under this allowance directly to the Member of staff concerned..

## **8. TRAVEL TO EUROPEAN COMMUNITY INSTITUTIONS etc.**

### **8.1. Entitlement**

8.1.1. In any year each Member is entitled to make a total of three return journeys between the United Kingdom and any of the European Community Institutions in Brussels.

8.1.2. In any year each Member is entitled to make one return journey to the any one of the European Community Institutions in Luxembourg or Strasbourg or the national parliament of another European Union member state in addition to any journeys undertaken under paragraph 8.1.1

8.1.3. In either case, the principal purpose of the visit must be undertaken for purposes in connection with the responsibilities of the member as an Assembly Member.

8.1.4. A Member is entitled to claim the actual cost to him/her of travel expenses incurred and an entitlement to a subsistence allowance subject to the following maxima:

- the cost of the cheapest, suitable and available return air fare to one of the appropriate destinations; plus
- two nights accommodation, meals and incidental travel.

8.1.5. A Member not travelling by air may claim actual travelling costs within the maximum set in paragraph 8.1.4 above.

### **8.2. Application**

8.2.1. Members must submit in advance to the Fees Office a statement of the visit's purpose, location and duration and the persons or organisations to be met. A Member is entitled to claim this allowance only where the journey to which the claim relates has been agreed in advance by the Fees Office. The acceptability of any other claims for this allowance not so agreed will be at the discretion of the Presiding Officer.

### **8.3. Travel to Regional parliaments, councils or assemblies**

8.3.1. A Member may apply to the Presiding Officer for permission to form a delegation to visit a regional parliament, regional council or regional assembly within the European Union. The application must show clearly the likely benefits of the visit to the business or interests of the National Assembly for Wales and clearly indicate the people or organisations to be visited. Any visit made under this paragraph shall be in place of a visit that might otherwise be made under paragraph 8.1.2.

## **9. OFFICE COSTS ALLOWANCE**

### **9.1. Purpose and Amount**

9.1.1. Members are entitled to claim an Office Costs Allowance to cover the costs to them of furnishing and maintaining an office where those costs are wholly, exclusively and necessarily incurred in connection with his/her duties as an Assembly Member.

9.1.2. Subject to Section 10.4.1, a Member may claim an amount of Office Costs Allowance not exceeding £11,300 in any year.

### **9.2. Office Costs**

9.2.1. It is not possible to produce an exhaustive list of admissible items but the following examples may assist Members in deciding whether or not they can make a claim:

- The cost of maintaining an office in the Assembly Member's constituency. (including rent, insurance, council tax, or business rates, electricity, gas, water and telephone charges and the cost of equipping such offices).
- Legal costs relating to the lease or rental of the office
- Measures to ensure the security of a constituency office.
- The cost of hiring or renting rooms situated in the Assembly Member's constituency for the purposes of holding "constituency surgeries".
- The cost of advertising the holding of constituency surgeries.
- Newspapers and periodicals
- Mobile telephone bills
- Accountancy fees relating to the costs of furnishing and maintaining an office
- Stationery not available directly from the Assembly.

9.2.2. Claims for individual items of furniture or other individual items costing more than £1,000 shall be referred to the Fees Office for approval prior to payment.

9.2.3. The costs of repaying a mortgage, including interest thereon, cannot be claimed under this allowance.

9.2.4. Invoices for office rent must contain the address of the property being rented.

### **9.3. Virement**

9.3.1. A Member may vire up to 25 per cent from their Office Costs Allowance to their Staff Salaries Allowance provided prior written notification is given to the Fees Office.

## **10. STAFF SALARIES ALLOWANCE**

### **10.1. Purpose and Amount**

10.1.1. A Member is entitled to claim a Staff Salaries Allowance to cover the costs to them of persons employed by them in an administrative, clerical or secretarial capacity or to undertake research where those costs are wholly, exclusively and necessarily incurred in connection with their duties as a Member of the Assembly.

10.1.2. Subject to Section 9.3.1, a Member may claim an amount not exceeding £40,900 in any year.

### **10.2. Contracts of employment**

10.2.1. Members are required to provide each of their employees with a written statement of the terms and conditions of employment and to furnish the Fees Office with a copy within one month.

### **10.3. Payment of Salaries**

10.3.1. Support staff salaries shall be paid monthly in arrears on the last working day of each month. Payment shall be made direct to the individual's account by electronic transfer (Bankers Automated Clearing Services - BACS).

### **10.4. Virement**

10.4.1. A Member may vire up to 25 per cent from their Staff Salaries Allowance to their Office Costs Allowance provided prior written notification is given to the Fees Office.

### **10.5. Direct payment to staff**

10.5.1. The Member may instruct the Fees Office to pay any amount claimed under this allowance directly to the Member of staff concerned.

## **11. PENSION PROVISION FOR MEMBERS' STAFF**

### **11.1. Entitlement**

11.1.1. A Member shall be entitled to claim an allowance in respect of the cost to him/her of contributions made to the personal pension plan of any staff paid from:

- (a) the Staff Salaries Allowance; or
- (b) funding for groups.

11.1.2. The maximum amount payable is 10% of the actual salary paid to the relevant member of staff. This allowance does not count against either the Staff Salaries Allowance or the funding for groups.

## **12. TEMPORARY STAFFING ALLOWANCE**

### **12.1. Purpose**

12.1.1. A Member may claim a Temporary Staffing Allowance to meet the costs of any additional expenses wholly, exclusively and necessarily incurred in respect of their Assembly duties in obtaining temporary secretarial or research assistance while a person to whom a salary is paid by them under the Staff Salaries Allowance is prevented through illness or maternity leave from providing such assistance.

### **12.2. Qualifying for Temporary Staffing Allowance**

12.2.1. Temporary Staffing Allowance can only be claimed if the member of staff for whom cover is required:

- is absent from work because of illness or maternity leave and continues to be paid by the Member via the Staff Salaries Allowance;
- is not employed on a casual or temporary basis
- in the case of illness, is absent for a continuous period that exceeds two weeks
- submits supporting medical certificates for periods of sickness or a maternity certificate (MATB1 form) showing the expected week of confinement.
- has a valid contract of employment specifying the periods of paid sickness and maternity leave

### **12.3. Limitations**

12.3.1. The maximum entitlement will be based on the amount of the absent employee's gross salary for a specified period (shown below).

12.3.2. Members are encouraged to ensure that all staff providing the temporary cover have pension arrangements in place in line with good employment practice.

12.3.3. Absences for illness and maternity leave are treated as completely separate for the purposes of calculating Temporary Staffing Allowance. Therefore a Member who has an employee who has been on maternity leave and (unrelated) sick leave will have access to two separate budgets for Temporary Staffing Allowance.

12.3.4. When an individual is absent through illness, the maximum allowance available will be based on six months full pay and six months half-pay (including employers' National Insurance contributions and pension costs) of each absent qualifying employee.

12.3.5. Once the "more than two week rule" set out in Section 12.2.1 has been met Temporary Staffing Allowance will be retrospective to the first day of absence.

12.3.6. When an individual is absent due to maternity leave, the maximum allowance available is equivalent to twenty four weeks of the absent employee's gross salary (including employers' National Insurance contributions and pension costs).

12.3.7. Where a claim for temporary assistance to cover sickness absence of an employee utilises the maximum period allowed in these new arrangements, any extension of the temporary assistance should be claimed against the Staff Salaries Allowance. The permanent employee will have reached the contractual limit for salary entitlement and the costs of the replacements will no longer be additional to the normal salary costs.

12.3.8. If a subsequent claim for assistance arises in respect of an employee who has had 12 months paid sickness absence then that claim may only be admitted if a period of 12 months has elapsed from the end of the previous claim.

## **13. REDUNDANCY PAYMENTS TO SECRETARIES AND RESEARCH ASSISTANTS WHO ARE PAID FROM THE STAFF SALARIES ALLOWANCE**

### ***13.1. When a Member ceases to be a Member of the Assembly***

13.1.1. A Member is entitled to claim for the cost to them of redundancy payments to qualifying staff if the Member ceases to be a Member of the Assembly for any reason. To qualify staff must have at least two years service with the Member on the date at which the Member ceases to be a Member of the Assembly, be under 65 and not be self-employed. Redundancy payments will be calculated on the basis of the current employment legislation. The maximum amount that can be claimed under this allowance is the amount of redundancy payable by way of statutory redundancy.

13.1.2. The allowance is not payable in a case where a Member ceases to be a Member only as a consequence of section 2(5)(b) of the Government of Wales Act 1998 and is subsequently returned as a Member at that poll.



## **14. WINDING UP ALLOWANCE**

### **14.1. Purpose and Amount**

14.1.1. A person who, for whatever reason, has ceased to be a Member of the Assembly is entitled to claim an allowance in respect of the cost to the former Member of work undertaken by or on their behalf after they have ceased to be a Member together with necessary associated expenditure on incidental items. The former Member is only entitled to make a claim where the work undertaken is necessary for him/her to complete work that was in progress at the time they ceased to be a Member of the Assembly. The amount that can be claimed shall not exceed one third of the total sum of the Office Costs Allowance and Staff Salaries Allowance currently in force, to enable payments to be made to meet the cost of any work necessarily undertaken in completing Assembly business undertaken on behalf of a deceased, defeated or retiring Member after the date on which they cease to be a Member of the Assembly together with necessary associated expenditure on incidental items.

14.1.2. The allowance is not payable in a case where a Member ceases to be a Member only as a consequence of section 2(5)(b) of the Government of Wales Act 1998 and is subsequently returned as a Member at that poll.

14.1.3. In respect of a deceased Member this allowance shall have effect as if references to the former Member included as appropriate references to the personal representatives of the deceased Member.

### **14.2. Eligible Expenses**

14.2.1. A claim for expenses which have been wholly, exclusively and necessarily incurred in connection with winding up can include the following:

- Salary and employer's National Insurance contributions of staff who continue to be employed together with related pension contributions.
- Contractual liabilities for staff - particularly in the cases of defeated or deceased Members.
- Contractual liabilities for the payment of equipment hire purchase or accommodation leasing agreements
- Postage, stationery and telephone costs.
- Travel costs

14.2.2. Redundancy payments under Section 13 do not fall within the scope of this allowance.

## 15. RESETTLEMENT GRANT

### 15.1. Resettlement Grant

15.1.1. A person who immediately before an ordinary election of the Assembly is a Member of the Assembly and either

- is not a candidate for re-election; or
- is a candidate for re-election but is not re-elected,

is entitled to claim a Resettlement Grant.

15.1.2. In the preceding paragraph,

“candidate for re-election” includes a person on a list of candidates of a registered political party; and

“re-elected” includes a person returned for an Assembly electoral region.

15.1.3. The amount of the grant expressed as a percentage of yearly salary (at the rate payable to Members immediately before the election) is determined by age (at the election) and length of service as a Member of the Assembly before the election. The relevant percentages are shown in the following Table.

#### PERCENTAGES OF YEARLY SALARY

		number of years of service (completed years)						15 or over
		under 10	10	11	12	13	14	
Age	under 50	50	50	50	50	50	50	50
	50	50	50	52	54	56	58	60
	51	50	52	55	58	62	65	68
	52	50	54	58	63	67	72	76
	53	50	56	62	67	73	78	84
	54	50	58	65	72	78	85	92
	55 to 64	50	60	68	76	84	92	100
	65	50	58	65	72	78	85	92
	66	50	56	62	67	73	78	84
	67	50	54	58	63	67	72	76
	68	50	52	55	58	62	65	68
	69	50	50	52	54	56	58	60
	70 or over	50	50	50	50	50	50	50

15.1.4. In calculating the number of years of service a period as a Member shall not be taken into account on more than one occasion; any period of service that was disregarded when determining a previous resettlement grant payment shall be disregarded. Any fraction of a year should also be disregarded except where a Member who was first elected at an ordinary election fails to complete a year as a consequence of the date of an ordinary election falling on an earlier date than that on which the Member was first elected. In such a case the Member shall be regarded as having served a complete year.

## **15.2. Office Holders**

15.2.1. Assembly Members who have at any time during their period of service referred to in paragraph 15.1.4 held an office specified in paragraph 2.1.2 shall be entitled to receive an additional payment by way of Resettlement Grant. The payment will be equal to the amount of salary payable as the holder of that office in the three months before they ceased to hold that office. If a Member held more than one office during that period, the amount of salary on which this payment is based will be the higher, or as the case may be, the highest amount payable for an office.

## **16. ILL HEALTH RETIREMENT GRANT**

### ***16.1. Ill Health Retirement Grant***

16.1.1. Any Member whose health precludes their continued participation as a Member of the Assembly shall be entitled to claim an Ill Health Retirement Grant on ceasing to be a Member. The level of grant payable shall be calculated on the same basis as a claim for a Resettlement Grant under Section 15 save that reference to the date of an ordinary election shall be construed as a reference to the date when the Member ceases to be a Member.

16.1.2. An Assembly Member who claims an Ill Health Retirement Grant shall not be entitled to claim a Resettlement Grant at the time of the next ordinary election.

## **17. DISABILITY ALLOWANCE**

### **17.1. Purpose and Amount**

17.1.1. A Member who, because of their disability, requires additional resources to perform their responsibilities as a Member shall be entitled to an allowance.

17.1.2. The allowance shall not exceed the sum of £10,000 in any period of four years commencing with an ordinary election to the Assembly and ending with the next such election.

17.1.3. The amount of allowance payable to a Member under this allowance shall be calculated on the basis of an assessment of the nature and extent of that Member's disability and the consequential level of additional resources required by that Member to enable them to discharge their responsibilities as a Member. This assessment and the calculation of the amount of allowance payable to that Member shall, in the first instance, be agreed by the Member and the Presiding Officer and, if no agreement is reached, by the Presiding Officer alone.

17.1.4. For the purposes of this allowance, "disability" shall have the same meaning as it has in the Disability Discrimination Act 1995.

## **18. SUPPORT FOR GROUPS**

### **18.1. Purpose and Amount**

18.1.1. Groups of 3 or more Members are entitled to an allowance to assist them in the discharge of their work in the Assembly. The allowance is payable only in respect of costs which are incurred by them wholly, exclusively and necessarily for the purpose of discharging their responsibilities.

18.1.2. It is not possible to produce an exhaustive list of admissible items, but the following examples may assist in deciding whether or not a claim may be made:

- employing staff in an administrative, clerical or secretarial capacity.
- employing staff to undertake research.
- acquiring office equipment.

18.1.3. Purchases of individual items of furniture or other individual items costing more than £1,000 shall be referred to the Fees Office for approval prior to incurring expenditure.

18.1.4. The costs of repaying a mortgage, including interest thereon, cannot be claimed under this allowance.

18.1.5. Groups are required to provide each of their employees with a written statement of the terms and conditions of employment and to furnish the Fees Office with a copy within one month.

18.1.6. The amount of funding is as follows :

(a) each group shall be entitled to an amount(the basic amount) not exceeding £60,000 a year ;

(b) each group which is not represented by a Member in the Assembly Cabinet shall, in addition to the basic amount, receive an additional amount calculated in manner as follows :

the additional amount shall be an amount not exceeding in each year the sum produced by multiplying the figure of £3,500 by the number of Members who belong to that group (subject to minimum figure of £40,000) .

### **18.2. Approval of expenditure**

18.2.1. Expenditure under this allowance may be authorised by the designated leader of a group or such other Assembly Member to whom such authority may be delegated by him/her.

### **18.3. *Transitional provisions***

18.3.1. Any expenditure incurred under the Party Leader's Allowance (as defined in the National Assembly for Wales (Assembly Members and Officers) (Salaries, Allowances etc.) Determination 2001) shall be treated as if it were incurred under this section.

## **19. RECALL OF ASSEMBLY OR COMMITTEE**

### **19.1. Purpose and Amount**

19.1.1. A Member shall be entitled to claim any travel costs incurred by them which are necessarily attributable to them in undertaking travel to enable them to attend a plenary meeting of the Assembly summoned to consider a matter of urgent public importance in accordance with Standing Order 6.2.

19.1.2. A Member shall be entitled to claim any travel costs incurred by them which are necessarily attributable to them in undertaking travel to enable them to attend a meeting of a Committee of the Assembly in accordance with Standing Order 8.25a.

19.1.3. The provisions of Section 4, apart from Section 4.1.1 and 4.10 shall apply to these cases. If travel is by air, the cost of a business class single air fare is payable. The actual level of any overnight costs incurred may be claimed if it was necessary to stay overnight during the course of travelling to the Assembly. A Member may also claim the cost of resuming their holiday following a recall should this be feasible.