



STATUTORY INSTRUMENTS.

**S.I. No. 149 of 2013**



OIREACHTAS (ALLOWANCES AND FACILITIES) (AMENDMENT)  
REGULATIONS 2013

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I, BRENDAN HOWLIN, Minister for Public Expenditure and Reform, in exercise of the powers conferred on me by—

- (a) section 3 of the Oireachtas (Allowances to Members) and Ministerial and Parliamentary Offices Act 2009 (No. 29 of 2009),
- (b) section 2(1) (inserted by section 11 of the Oireachtas (Allowances to Members) and Ministerial and Parliamentary Offices (Amendment) Act 1992 (No. 3 of 1992) (“Act of 1992”)) of the Oireachtas (Allowances to Members) Act 1962 (No. 32 of 1962) (“Act of 1962”), in respect of telephone and postal facilities,
- (c) section 2(2B) (inserted by section 16 of the Oireachtas (Allowances to Members) and Ministerial, Parliamentary, Judicial and Court Offices (Amendment) Act 1998 (No. 5 of 1998) (“Act of 1998”)) of the Act of 1962, in respect of secretarial allowances,
- (d) section 3(4)(ca) (inserted by section 37 of the Ministerial, Parliamentary and Judicial Offices and Oireachtas (Miscellaneous Provisions) Act 2001 (No. 33 of 2001)) of the Act of 1992, in respect of the rate of the allowance to Attorney General, and
- (e) the Ministers and Secretaries (Amendment) Act 2011 (No. 10 of 2011) and the Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011 (S.I. No. 418 of 2011),

hereby make the following regulations:

1. (1) These Regulations may be cited as the Oireachtas (Allowances and Facilities) (Amendment) Regulations 2013.

(2) These Regulations are deemed to have come into operation on 1 January 2013.

2. In these Regulations—

“Regulations of 2010” means Oireachtas (Allowances and Facilities) Regulations 2010 (S.I. No. 84 of 2010);

“Regulations of 2012” means Oireachtas (Allowances) (Amendment) Regulations 2012 (S.I. No. 37 of 2012).

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 7th May, 2013.*

3. Regulation 2(1) of the Regulations of 2010 is amended by substituting for the definition of “Regulations of 2008” the following:

“Regulations of 2013” means Oireachtas (Ministerial and Parliamentary Offices) (Secretarial Facilities) Regulations 2013 (S.I. No. 2 of 2013).

4. Regulation 4 of the Regulations of 2010 is amended by substituting for paragraphs (1) to (5) the following:

“(1) The amount specified in a particular column of the Table to this paragraph is determined as the amount payable to a member of Dáil Éireann as part of the parliamentary standard allowance for the relevant period in respect of travelling facilities for distances, from the member’s normal place of residence in respect of the distance referred to in that column, to and from Leinster House, overnight expenses and travel expenses which the member is obliged to incur in the performance of his or her duties as a member of Dáil Éireann.

Table

		Distances from normal place of residence to Leinster House (kilometres)											
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
		Band 1	Band 2	Band 3	Band 4	Band 5	Band 6	Band 7	Band 8	Band 9	Band 10	Band 11	Band 12
<b>Distance</b>	Dublin (less than 25km)	25km or more but less than 60km	60km or more but less than 90km	90km or more but less than 120km	120km or more but less than 150km	150km or more but less than 180km	180km or more but less than 210km	210km or more but less than 240km	240km or more but less than 270km	270km or more but less than 300km	300km or more but less than 330km	330km or more but less than 360km	360km or more
<b>Amount</b>	€9,000	€25,295	€27,315	€28,665	€29,669	€30,015	€30,350	€30,685	€31,365	€32,035	€32,715	€33,395	€34,065

(2) The amount specified in a particular column of the Table to this paragraph is determined as the amount payable to a member of Seanad Éireann as part of the parliamentary standard allowance for the period in respect of travelling facilities for distances, from the member’s normal place of residence in respect of the relevant distance referred to in that column, to and from Leinster House and overnight expenses which the member is obliged to incur in the performance of his or her duties as a member of Seanad Éireann.

Table

		Distances from normal place of residence to Leinster House (kilometres)											
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
		Band 1	Band 2	Band 3	Band 4	Band 5	Band 6	Band 7	Band 8	Band 9	Band 10	Band 11	Band 12
<b>Distance</b>	Dublin (less than 25km)	25km or more but less than 60km	60km or more but less than 90km	90km or more but less than 120km	120km or more but less than 150km	150km or more but less than 180km	180km or more but less than 210km	210km or more but less than 240km	240km or more but less than 270km	270km or more but less than 300km	300km or more but less than 330km	330km or more but less than 360km	360km or more
<b>Amount</b>	€5,250	€20,795	€22,815	€24,165	€25,169	€25,515	€25,849	€26,184	€26,865	€27,534	€28,215	€28,895	€29,565

(3) The amount specified in a particular column of the Table to this paragraph is determined as the amount payable opposite mention of an office holder referred to in column (1) of that Table as part of the parliamentary standard allowance for the period in respect of travelling facilities for the distances, from the officeholder's normal place of residence in respect of the distance referred to in that column, to and from Leinster House and overnight expenses which the person is obliged to incur in the performance of his or her duties as a member of the Oireachtas and as that office holder.

Table

		Distances from normal place of residence to Leinster House (kilometres)											
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
Office holder		Band 1	Band 2	Band 3	Band 4	Band 5	Band 6	Band 7	Band 8	Band 9	Band 10	Band 11	Band 12
<b>Distance</b>	Dublin (less than 25km)	25km or more but less than 60km	60km or more but less than 90km	90km or more but less than 120km	120km or more but less than 150km	150km or more but less than 180km	180km or more but less than 210km	210km or more but less than 240km	240km or more but less than 270km	270km or more but less than 300km	300km or more but less than 330km	330km or more but less than 360km	360km or more
<i>Leas Cheann Comhairle</i>	€6,300	€22,011	€24,435	€26,055	€27,260	€27,675	€28,076	€28,478	€29,295	€30,098	€30,915	€31,731	€32,535
<i>Cathaoirleach</i>	€6,300	€22,011	€24,435	€26,055	€27,260	€27,675	€28,076	€28,478	€29,295	€30,098	€30,915	€31,731	€32,535
<i>Leas-Cathaoirleach</i>	€6,300	€22,011	€24,435	€26,055	€27,260	€27,675	€28,076	€28,478	€29,295	€30,098	€30,915	€31,731	€32,535
<i>Leader of the Seanad</i>	€6,300	€22,011	€24,435	€26,055	€27,260	€27,675	€28,076	€28,478	€29,295	€30,098	€30,915	€31,731	€32,535

(4) An amount of €14,715 shall be paid to the Ceann Comhairle as part of the parliamentary standard allowance for the period in respect of overnight expenses which he or she is obliged to incur in the performance of his or her duties as a member of the Oireachtas and as an office holder.

(5) The Leas Cheann Comhairle or Cathaoirleach may, in writing, no later than one month before the beginning of any relevant period, waive the payment of the amount specified in the Table to paragraph (3) in respect of their office and shall, in that case, be paid an amount of €14,715 as part of the parliamentary standard allowance for the period in respect of overnight expenses which he or she is obliged to incur in the performance of his or her duties as a member of the Oireachtas and as an office holder. In the event of such a waiver, the expenses of travelling to and from Leinster House of the Leas Cheann Comhairle or Cathaoirleach, as appropriate, shall be met by such arrangements as may from time to time be made, subject to the approval of the Minister for Public Expenditure and Reform.”

5. (1) Regulation 5 of the Regulations of 2010 is amended—

(a) by substituting for paragraphs (1) to (3) the following:

“(1) An amount of not more than €20,350 is payable to a member of Dáil Éireann, including an officeholder but excluding a Minister of the Government or Minister of State, as part of the parliamentary standard allowance in respect of expenses (other than expenses provided for in Regulation 4) which the member is obliged to incur in the performance of his or her duties as a member, where evidence in the form of vouchers or receipts is available to show that the expenses were incurred, except for an amount of not more than €100 per month which may be used for incidental expenditure without evidence in the form of vouchers or receipts.

(2) An amount of not more than €12,225 is payable to a member of Seanad Éireann, including an officeholder but excluding a Minister of the Government or Minister of State, as part of the parliamentary standard allowance in respect of expenses (other than expenses provided for in Regulation 4) which the member is obliged to incur in the performance of his or her duties as a member, where evidence in the form of vouchers or receipts is available to show that the expenses were incurred, except for an amount of not more than €75 per month which may be used for incidental expenditure without evidence in the form of vouchers or receipts.

(3) An amount of not more than €16,000 is payable to a Minister of the Government or Minister of State as part of the parliamentary standard allowance in respect of expenses (other than expenses provided for in Regulation 4) which the Minister or Minister of State is obliged to incur in the performance of his or her duties as a member, where evidence in the form of vouchers or receipts is available to show that

the expenses were incurred, except for an amount of not more than €100 per month which may be used for incidental expenditure without evidence in the form of vouchers or receipts.”,

and

(b) in paragraph (4)—

(i) by substituting for subparagraphs (a) and (b) the following:

“(a) the amount specified in this Regulation shall be provided in any case where, within one month before the beginning of any relevant period, a person referred to in paragraph (1), (2) or (3) notifies the appropriate authority, in writing or in such form as may be specified by the Oireachtas Commission, of the amount subject to the maximum specified in the relevant paragraph that he or she wishes to be paid on a monthly basis, and the amount shall not be paid to the person until the appropriate authority receives such notification in respect of that period;

(b) a person referred to in paragraph (1), (2) or (3) shall certify, in writing or in such form as may be determined by the Oireachtas Commission, to the appropriate authority within one month of the end of the relevant period—

(i) the amount expended under this Regulation in respect of expenses incurred in the performance of his or her duties as a member, Minister of the Government or Minister of State, as the case may be, and

(ii) that the amount referred to in subparagraph (i) was applied wholly in respect of such expenses as are specified in paragraph (c) or (d), as appropriate, which he or she was obliged to incur in the performance of his or her duties as such a member or Minister;”,

(ii) in subparagraph (c), by substituting for clause (xiiia) (inserted by the Regulations of 2012) the following:

“(xiiia) expenses, including any statutory deductions, for the purchase of secretarial support, public relations, information technology (but not internet related) and training services under a contract for service from a person or service provider, other than—

- (I) persons engaged or expenses incurred under Regulation 9 or the Regulations of 2013, or
  - (II) Ministerial staff employed under the Guidelines on Staffing Ministerial Offices,”
- (iii) in subparagraph (d), by substituting for clause (iva) (inserted by the Regulations of 2012) the following:

“(iva) expenses, including any statutory deductions, for the purchase of secretarial support, public relations, information technology (but not internet related) and training services under a contract for service from a person or service provider, other than—

- (I) persons engaged or expenses incurred under Regulation 9 or the Regulations of 2013, or
- (II) Ministerial staff employed under the Guidelines on Staffing Ministerial Offices,”

and

- (iv) in subparagraph (f), by substituting “paragraph (1), (2) or (3) for “paragraph (1)(a), (2)(a) or (3)(a).”.

(2) In respect of the year 2013, a member of the Oireachtas may make the notification to the appropriate authority referred to in Regulation 5(4)(a) of the Regulations of 2010 by 31 January 2013.

6. Regulation 6 of the Regulations of 2010 is amended by substituting “paragraph (1), (2) or (3) of Regulation 5” for “paragraph (1)(a), 2(a) or (3)(a) of Regulation 5”.

7. Regulation 8(1) of the Regulations of 2010 is amended by substituting for subparagraph (d) (inserted by the Oireachtas (Allowances and Facilities) (Amendment) Regulations 2011 (S.I. No. 328 of 2011)) the following:

“(d) a member shall be entitled to receive a monthly allocation of ordinary prepaid envelopes not exceeding—

- (i) in the case of a member who is a party whip in Dáil Éireann, the number obtained by adding—
  - (I) the number that is equal to the number of members for the time being of the parliamentary party of which the member is whip when multiplied by 10, and

(II) 625,

- (ii) in the case of any other member of Dáil Éireann, 625,

(iii) in the case of a member who is a group whip in Seanad Éireann, the number obtained by adding—

(I) the number that is equal to the number of members for the time being of the group of which the member is whip when multiplied by 10, and

(II) 375,

and

(iv) in the case of any other member of Seanad Éireann, 375;”.

8. Regulation 9 of the Regulations of 2010 is amended—

(a) by substituting for paragraph (1) the following:

“(1) The amount of the secretarial allowance is:

(a) in respect of a member of Dáil Éireann who has not opted for additional secretarial facilities under Regulation 3(1)(b) of the Regulations of 2013, up to €41,092 each year, or where the first point of the parliamentary assistant pay scale is more than that amount, up to the amount of the first point each year;

(b) in respect of a member of Seanad Éireann who has not opted for additional secretarial facilities under Regulation 6(1)(b) of the Regulations of 2013, up to 50 per cent of the amount payable under paragraph 1(a) each year;

(c) in respect of a Minister of the Government, Minister of State or officeholder, up to €41,092 each year or where the first point of the parliamentary assistant pay scale is more than that amount, up to the amount of the first point each year.”.

(b) in paragraph (2)(a), by deleting “, other than the amount referred to in paragraph (1)(b)(ii), (1)(d)(i) or (1)(e)(i),”;

(c) in paragraph (2)(b)(ii), by substituting “Regulations of 2013” for “Regulations of 2008”, and

(d) in paragraph (3), by substituting “Regulations of 2013” for “Regulations of 2008”.

9. The rate of allowance payable to the holder of the office of Attorney General while not a member of the Oireachtas is the sum of €9,000 for each year.



10. The following are revoked:

- (a) the Oireachtas (Allowances and Facilities)(Amendment) Regulations 2011 (S.I. No. 328 of 2011), and
- (b) the Oireachtas (Allowances and Facilities)(Amendment) Regulations 2012 (S.I. No. 37 of 2012).



GIVEN under my Official Seal,  
30 April 2013.

BRENDAN HOWLIN,  
Minister for Public Expenditure and Reform.

EXPLANTORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation)*

These Regulations amend the existing Principal Regulations (S.I. No. 84 of 2010) which provides for the payment of a Parliamentary Standard Allowance to reimburse members of the Oireachtas for certain expenses incurred.

These Regulations reduce the Travel and Accommodation element by 10% for travel to Leinster House (25% reduction in the case of Dublin Members). The Regulations will require evidence of expenditure to be produced for expenses accrued under the Public Representational Allowance (PRA), subject to permitting a small level of unvouched expenditure for incidental expenses, as well as reducing the PRA expenditure limits to €20,350 for Deputies, €16,000 for Ministers and Ministers of State, and €12,225 for Senators.

The secretarial allowance scheme is also being amended to require evidence of all expenditure.

The number of pre-paid envelopes is reduced.

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