

Resolution of the Parliament for the Reimbursement of Members' Expenses Scheme

[The Reimbursement of Members' Expenses Scheme](#) came into effect on 1 October 2008, in accordance with the resolution of the Parliament dated 12 June 2008.

The resolution and the associated Reimbursement of Members' Expenses Scheme have been revised by subsequent resolutions of the Parliament dated 24 March 2010; 7 December 2011; 17 March 2015; 10 November 2015 and 15 March 2016.

The 12 June 2008 resolution, as amended by the subsequent resolutions, is reproduced below.

That the Parliament recognises that the Scottish Parliamentary Corporate Body ("the SPCB") commissioned and received a report from an independent review panel on the reimbursement of expenses for Members of the Scottish Parliament, notes the SPCB's responsibility to present a scheme to Parliament, and therefore;

- (a) by virtue of sections 81(2) and (5)(b) and 83(5) of the Scotland Act 1998
 - (i) confers functions on the SPCB to pay allowances to members in respect of expenses or costs incurred in each financial year in accordance with the Reimbursement of Members' Expenses Scheme ("the Scheme") annexed as Annex 1 to this resolution and confers other functions on the SPCB as specified in the Scheme;
 - (ii) determines that the various limits on expenses or costs under the Scheme are as set out in the Schedule of Rates annexed as Annex 2 to this resolution and that such limits are applicable until the SPCB exercises its power under the Scheme to uprate or vary them;
 - (iii) determines that the Scheme shall come into effect on 1 October 2008, subject to any arrangements made under sub-paragraph (vi);
 - (iv) directs the SPCB to make such arrangements as it may consider necessary or expedient to allow transition from the Members' Allowances Scheme agreed to by resolution of the Parliament on 21 June 2001 ("the Previous Scheme") to the Scheme, including, but not limited to, continuing in force any provisions of the Previous Scheme beyond 1 October 2008, making apportionments between the Previous Scheme and the Scheme or making arrangements for particular cases or particular classes of case as appropriate; and in particular, and without prejudice to the generality-
 - (a) entering into arrangements with those members who, in relation to Edinburgh accommodation, are claiming and have claimed reimbursement of mortgage interest allowance in accordance with paragraph 4(5)(b) of Part B of the Previous Scheme and paragraph (v) of the Resolution. In respect of paragraph 2.1.6 of the Scheme as

amended by the Resolution of 24 March 2010 amending the Resolution (in sub-paragraph (b) and paragraph (v) below “the amending Resolution”) the entitlement to the costs in paragraph 2.1.3 (b), (c), (d) and (e) of the Scheme will not apply to those members who have not entered into such an arrangement with the SPCB; and

(b) making provision for termination payments to members’ staff who are close family members of the member (as defined in paragraph 9.1.1 of the Scheme), where the costs of employing such close family members is reimbursed in accordance with Section 3 of the Scheme and termination of the employment of such close family members on or before the 31 July 2016 is due to the effect of paragraph 3.1.8 of the Scheme as inserted by the amending Resolution, and paragraph (v)(i). Such termination payments shall be calculated in accordance with the principles for determining redundancy payments provided for in Section 3.6 of the Scheme;

(v) directs the SPCB that any transitional arrangements which it determines under sub-paragraph (iv) shall end not later than 31 March 2011; except that (i) the entitlement to reimbursement of staff costs under Section 3 of the Scheme in respect of close family members (as defined in paragraph 9.1.1 of the Scheme) whose employment by a member commenced before 1 April 2010, and (ii) the requirement to declare such relationships to the SPCB in accordance with paragraph 3.7 of the Scheme as it read prior to the amendment made by the amending Resolution, shall end not later than 31 July 2016;

(vi) directs the SPCB to make such arrangements as it may consider necessary or expedient to apply the limit on entitlement to reimbursement of staff salary costs with effect from a date before 1 October 2008, whether by adjusting the amount of the Members’ Support Allowance under the Previous Scheme or by backdating reimbursement of staff salary costs under the Scheme;

(vii) determines that in relation to those members who on 10 November 2015 were leasing, sub-leasing or sub-letting their local parliamentary office premises from or to a party political organisation in accordance with paragraphs 4.2.11 and 4.2.12 of the Scheme as they stood on that date, those paragraphs 4.2.11 and 4.2.12 will continue to apply until 5 May 2017 and paragraph 4.2.12 of the Scheme as substituted with effect from 6 May 2016 and the modification of paragraph 4.2.10 (made by resolution dated 10 November 2015) shall take effect on 6 May 2017;

(b) rescinds, with effect from 1 October 2008, the Resolution of the Parliament of 21 June 2001 in relation to the Equipment and Furniture Scheme;

(c) subject to any arrangements made under paragraph (a) above, rescinds, with effect from 1 October 2008, the Resolution of the Parliament of 21 June 2001 in relation to the Previous Scheme.

ANNEX 1 TO THE RESOLUTION

[This is the Reimbursement of Members’ Expenses Scheme referred to in the foregoing resolution.](#)