



**Coimisiún Thithe  
an Oireachtais**  
**Houses of the  
Oireachtas Commission**

## **DISSOLUTION GUIDELINES**

# **INFORMATION FOR MEMBERS ON OUR PROCEDURES DURING THE DISSOLUTION PERIOD**

**HOUSES OF THE OIREACHTAS SERVICE**

**DECEMBER, 2015**

*This document does not purport to be a legal interpretation*

**Chun gach Comhalta:  
To each Member:**

## **Dissolution Guidelines**

Members of the Houses of the Oireachtas are provided with various allowances and facilities under the *Oireachtas (Allowances to Members) Acts 1938 to 1998*, the *Oireachtas (Allowances to Members) and Ministerial and Parliamentary Offices Act 2009* and the *Houses of the Oireachtas Commission Acts 2003 to 2015*. These Guidelines set out the commitments of the Houses of the Oireachtas Service (the Service) to ensuring that you receive the services you are entitled to once the 31<sup>st</sup> Dáil is dissolved and the charges which, by law, must be applied in respect of some of those services. For ease of reference these Guidelines are organised as follows:

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If you have any queries in relation to the matters covered in these Guidelines, please contact the relevant officials listed in Section H (page 26), who will be happy to assist you.

These Guidelines are available in Irish on request.



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Peter Finnegan  
Joint Acting Secretary General  
4 December, 2015



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Michael Errity  
Joint Acting Secretary General  
4 December 2015

# SECTION A

## Salaries and Allowances

**Sections A, B and C of these Guidelines will assist Members in knowing what will happen to services, supplied by the Houses of the Oireachtas Service, upon dissolution of Dáil Éireann.**

### A.1 Salaries

The payment of TDs' salaries as well as payment for specified positions, e.g. Chairperson's Allowance, will cease from the date of dissolution. A payment of one-eighteenth of the annual TD's salary will be paid to each TD in respect of the period between the dissolution date and the General Election date.<sup>1</sup> This payment is pensionable, taxable and subject to all appropriate levies.

Ministers and Ministers of State continue to be paid their Ministerial salary by the Departments throughout the dissolution period. The payment continues until the successor of the Taoiseach (who was in office on dissolution date) is appointed.

The Ceann Comhairle and Leas-Cheann Comhairle continue to be paid the Office Holder Salary Allowance throughout the period of dissolution and up to the time their successor is appointed, unless he/she has announced to Dáil Éireann before the dissolution that he/she does not wish to become a member of Dáil Éireann at the General Election consequent on such dissolution.

### A.2 Allowances

#### Parliamentary Standard Allowance (PSA)

The Parliamentary Standard Allowance (PSA) comprises two elements: the Travel and Accommodation Allowance (TAA) and the Public Representation Allowance (PRA). Both the TAA and PRA are paid monthly.

The TAA is verified by TDs' attendance record at Leinster House.

The PRA is verified through vouched expenses. The PRA will only be paid where TDs can demonstrate that the funds were used for the purposes set out in the *Oireachtas (Allowances and Facilities) Regulations 2010*.<sup>2</sup>

Payment of the PSA will cease for TDs on the date that Dáil Éireann is dissolved. The Ceann Comhairle may continue to be paid the PSA. The Leas Cheann Comhairle may continue to be paid the TAA. Registration of attendance will be required as normal.

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<sup>1</sup> *Oireachtas (Allowances to Members) Act 1938*, as inserted by s. 26 of the *Ministerial, Parliamentary and Judicial Offices and Oireachtas Members (Miscellaneous Provisions) Act, 2001*.

<http://www.irishstatutebook.ie/1983/en/act/pub/0032/index.htm>.

<sup>2</sup> *Oireachtas (Allowances and Facilities) Regulations 2010* (SI No. 84 of 2010), available at:

<http://www.irishstatutebook.ie/2010/en/si/0084.html>.

Any outstanding payments will be paid automatically to TDs up to the date of dissolution. *An End of Year Certification of Expenditure Form and a statement of attendances up to the the date of dissolution will be issued to all TDs.* TDs will be required to complete the form to certify expenditure and indicate whether any repayment is payable to the Service within two months of the date of dissolution.

Repayment of TAA by a Member will arise where the attendance requirement has not been met. Attendance of 120 days is required and this will be calculated on a *pro-rata* basis from the start of the year (1 January) to the date of dissolution. Attendance may not be carried forward.

Repayment of PRA will arise where a TD's expenditure is less than the PRA received by the TD, the balance must be repaid within two calendar months of the date of dissolution.

The Audit Guidelines and the legislation on which they are based require the retention of all records relating to the expenditure under the categories of the vouched allowance up to and including the date of dissolution and records are subject to audit for a period of up to five years. Audits of 2015 payments will be commencing during the second quarter of 2016.

### **Secretarial Allowance and Temporary Vouched Employees (TVE)**

TDs are entitled to draw down the *pro-rata* rate of the vouched Secretarial Allowance in respect of the period from 1 January 2016 to the dissolution date, provided the expenditure was incurred prior to the dissolution date.

Members who have employed staff on temporary contracts under the TVE scheme must notify staff that their employment will terminate from the date of dissolution. The Service will provide Members with details of any statutory entitlements that may apply to staff employed under the TVE scheme.

All invoices for the Secretarial Allowance scheme should be submitted to the One Stop Shop within 6 weeks of the dissolution date in order to comply with the prompt payments legislation.

### **Travel Expenses and Driver Allowances**

A TD is entitled to travel expenses for one journey from Leinster House to his/her constituency or residence following the dissolution of Dáil Éireann, if undertaken within three days of the date of dissolution.<sup>3</sup> In order to claim this allowance, Members should complete a form which will be sent to them.

The Ceann Comhairle and the Leas-Cheann Comhairle continue to have their drivers throughout the dissolution period. Civilian drivers continue to be paid throughout the dissolution period.

Any outstanding Foreign Travel and Subsistence Claims associated with Committee or Inter-parliamentary travel must be submitted as soon as possible via the relevant Clerk for processing by the Travel Unit.

### **Telephone Allowances**

Any outstanding payments due on telephone allowances for specified positions will be paid automatically to TDs up to the date of dissolution.

**Contact Ms. Paula Cowan, One Stop Shop [OSS] PH: 6184684/6184804/6183729/6184678**

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<sup>3</sup> *Oireachtas (Allowances to Members) Act 1938*, available at:  
<http://www.irishstatutebook.ie/1938/en/act/pub/0034/index.html>

### A.3. Termination Payments and Pensions

Termination and pension payments will be payable to former TDs subject to certain terms and conditions.

#### Termination Payments

Termination payments are payable, upon application, immediately on cessation of membership of the Houses of the Oireachtas following polling day. They comprise a Termination Lump Sum equivalent to approximately two months salary (including salary based on service, allowances held over the period of continuous service) and a series of monthly termination payments, up to a maximum of 12 payments. The table below outlines the schedule of termination payments, based on service:

Schedule of termination payments	
<i>Service - Years</i>	<i>Monthly payments</i>
3	1 @ 75%
4	2 @ 75%
5	3 @ 75%
6	4 @ 75%
7	5 @ 75%
8	6 @ 75%
9	6 @ 75% + 1 @ 50%
10	6 @ 75% + 2 @ 50%
11	6 @ 75% + 3 @ 50%
12	6 @ 75% + 4 @ 50%
13	6 @ 75% + 5 @ 50%
14 +	6 @ 75% + 6 @ 50%

Termination payments are subject to tax, PRSI and any current levies such as the Universal Social Charge (USC). The payments are not subject to the Pension Related Deduction (PRD). The Termination Lump Sum is treated as redundancy for tax purposes and is also subject to PRSI.

#### Pension Payments

When Termination payments are completed (or prior to that if the Member so decides) he or she may apply for a pension, provided that preserved pension age has been reached. Generally speaking, this is 50 or 65 years of age depending on when a Member was first elected.

The Member is entitled to receive a Pension Lump Sum and Pension upon application and approval by the Trustees to the Houses of the Oireachtas (Members) Pension Scheme, subject to certain terms and conditions. Pension payments are payable monthly in arrears and are subject to tax and the USC. The Pension Lump Sum is tax free within current Revenue Commission lifetime limits.

Members first elected to the Houses of the Oireachtas on or since 1 January 2013, without any prior public service, are not members of the Houses of the Oireachtas (Members) Pension Scheme but are members of the Single Public Sector Superannuation Scheme. This Scheme has a minimum retirement age of 66 aligned with the Social Welfare Pension Age.

A web link to our intranet page at <http://theplinth.oireachtas.local/> provides access to Pensions Information Booklets. Hard copies are also available from the Members Pensions Unit upon request.

Contact Mr. Derek Walker at 6184672 or email [pensions@oireachtas.ie](mailto:pensions@oireachtas.ie) if you have any further enquiries.

## A.4 Voluntary Schemes

### Voluntary Health Insurance (VHI)

Deductions will be made from TDs' salary payments in the month of the dissolution as normal. The Service cannot deduct VHI contributions from termination payments. The One Stop Shop will inform the VHI of any TDs who are not returned in the General Election. However, it is the responsibility of individual former TDs to contact the VHI to arrange for continuation of private cover if they wish to do so.

When former Members transfer to pension payments, the VHI premiums can again be paid from pension and arrangements to facilitate this can be made through the Service.

In the case of TDs who are not returned to the Dáil and who subsequently seek election to the Seanad, arrangements must be put in place to cover premiums during the period between the Dáil election and the subsequent Seanad election.

In the event that an outgoing TD is not returned to the Houses of the Oireachtas, he or she should contact the *One Stop Shop at ext: 6184684/4678/4804/4688 or Ms Anne Marie Buckley, Customer Administration, VHI at ph: 021-4906637 (or [Annemarie.buckley@vhi.ie](mailto:Annemarie.buckley@vhi.ie))* to discuss their arrangements. The Group Number to quote is 2394.

### Enhanced Pension AVC

A deduction will be made from the final salary payment on dissolution for TDs who are a part of the Enhanced Pension AVC scheme. Mr Tom Menton from Willis will be in contact with former TDs who retire or are not returned in the General Election to discuss various options. If TDs have any queries regarding their entitlements under this scheme they should contact *Mr. Tom Menton, Willis Ph: 01-6326979 or 0868175867 (or [tom.menton@willis.ie](mailto:tom.menton@willis.ie))*.

### Death in Service

TDs who are members of this scheme who retire or are not returned in the General Election and do not seek election to the Seanad cease to be covered under the Houses of the Oireachtas Scheme. TDs who are not returned to the Dáil and subsequently seek election to the Seanad will be covered until the results of that Seanad General Election are published in Iris Oifigiúil. Any Member who is not returned to the Houses of the Oireachtas may contact *Mr. Tom Menton, Willis with immediate effect to organise private cover at Ph: 01-6326979 or 0868175867 (or [tom.menton@willis.ie](mailto:tom.menton@willis.ie))*.

### Public Liability

Public Liability cover continues for existing TDs until the renewal date of 1 July 2016 provided they are re-elected. If an outgoing TD is not returned and contests the Seanad Election, the TD will be covered up to either the date of the Seanad Election or the date of renewal (1 July 2016), whichever is soonest.

TDs who are not returned in the Dáil Election and are not contesting the Seanad Election are no longer covered. No refund is applicable for the period between the election date and renewal date as this policy is specifically drawn up for serving Members of the Houses of the Oireachtas. Irish Public Bodies, the company offering this service, does not operate individual policies and will not extend the period of cover to TDs who are not returned. Therefore, TDs who are not returned and continue to operate a constituency office will have to organise public liability cover privately from the date that

the election results are formally confirmed. *Queries should be directed to Mr John Sheridan, Irish Public Bodies Mutual Insurances Ltd*  
*email: john.sheridan@ipb.ie*  
*Phone: 01 6395549*

### **Personal Accident**

Members are covered under the Personal Accident scheme until 31 December 2016.

### **Automobile Association**

Members of the Automobile Association Scheme are covered until the end of March 2016. Renewal date is 1 April 2016.

# SECTION B

## General Facilities

### B.1. Leinster House Complex

Following the dissolution of Dáil Éireann, the Leinster House complex will remain open from 7:30 a.m. to 10 pm, Monday to Friday.

Outgoing TDs of the 31<sup>st</sup> Dáil and Senator candidates are reminded that emblems/promotional material associated with the General Election should not be displayed within the precincts of Leinster House during the period between dissolution and polling day.

The Leinster House complex may not be used for media interviews during the dissolution period.

### B.2. Postal Facilities

Any unclaimed allocation of prepaid envelopes must be collected by 7 p.m. on the day of dissolution from Room 09 in the basement of Leinster House. Thereafter, no further pre-paid envelopes can be provided in respect of membership of the 31<sup>st</sup> Dáil. Any usage of such envelopes for electoral purposes must be declared and certified to the Houses of the Oireachtas Commission and reimbursed in accordance with the schedule of charges in Section F of these Guidelines.

Senators may continue to collect envelopes. However, for Senators who are candidates in the Dáil election any usage of such envelopes for electoral purposes must be declared and certified to the Houses of the Oireachtas Commission and reimbursed in accordance with the schedule of charges in Section F of these Guidelines.

Donation of Oireachtas supplied pre-paid envelopes to another person/organisation is not allowed under law.

Following the elections, incoming post for retired and non-returned Members will be stored in the Enquiries Office until the former Member arranges collection, or gives a forwarding address to the Enquiries Office.

### B.3. Stationery Stores and Consumables

TDs or their staff may collect stationery and consumables for computer, printing and office equipment up to 7 p.m. on the day of dissolution.

TDs who are candidates in the Dáil election must declare the use of consumables and stationery for electoral purposes. Such usage must be certified by the Houses of the Oireachtas Commission and reimbursed in accordance with the schedule of charges in Section F of these Guidelines.

The annual monetary limit of €2,000 for TDs on the use/drawdown of toner will be applied on a pro rata basis up to the date of dissolution.<sup>4</sup>

Senators may continue to collect stationery and print consumables. However, Senators who are candidates in the Dáil election must declare the use of stationery and consumables for electoral purposes. Such usage must be certified by the Houses of the Oireachtas Commission and reimbursed in accordance with the schedule of charges in Section F of these Guidelines.

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<sup>4</sup> These limits are based on the Commission's decision



## B.4. Office Equipment

From the day of the dissolution, orders for replacement or purchase of office equipment cannot be processed by the Facilities Management Unit. Any items ordered, but not delivered, prior to the date of dissolution will be held in storage until after the General Election.

The equipment provided to TDs in their Leinster House office will be reallocated within Leinster House. Certain equipment provided to constituency offices will be offered for sale to retiring or non-returned TDs either on an individual basis or in a package in accordance with the following terms:

Item	Selling price
Fax machine	€100
Shredder	€60
Analogue Dictaphone/Transcriber	€140
Analogue Dictaphone/Pocket Memo	Free of charge
Digital Dictation Pocket memo	€105
Package discount (3 items [fax, shredder, Digital dictation])	€220
Package discount (4 items [fax, shredder, Analogue dictation])	€250

If TDs have any queries in relation to office equipment they should **contact Ms. Elaine Cameron, ICT Unit, at 6184234.**

## B.5. Bar and Restaurant Arrangements During Dissolution

For the period of the dissolution, the Members Bar and the Visitors Bar will generally operate as per normal. The self service restaurant will operate as normal. The Members Restaurant will open for lunch from 12.30pm to 2.30pm on Tuesdays - Thursdays. This arrangement may be reviewed.

All credit arrangements relating to the bar and restaurant will be discontinued from close of business on Dissolution for TDs. Any outstanding balances due up to and including that date to the restaurant and/or bar will be calculated and a statement issued immediately to each TD. Payment of all balances must be made within 30 days. Payment can be arranged on the basis of cash, credit card, cheque, electronic fund transfer (EFT) or deduction from any salary payment due as agreed with the Service. The Bar and Restaurant Account information for payment purposes will be included in the final statement issued post Dissolution.

The following contacts will provide any clarification that might be required:

Darren Brady (Bar) 01 618 3535  
Restaurant Administration (01) 618 3399  
Siobhan Malone (Facilities Manager) (01)618 4403  
Mary Haran (Bar and Restaurant) (01) 618 3220

# SECTION C

## ICT Facilities

In general, outgoing TDs who are elected to the 32<sup>nd</sup> Dáil will be entitled to retain their existing ICT equipment and facilities throughout the election period. Use of ICT equipment and facilities following the dissolution of the Dáil, during the election period (i.e. between dissolution and polling day) will be subject to the charges specified in the Houses of the Oireachtas Commission dissolution guidelines which are contained in Section F (page 19) of these Guidelines. Outgoing TDs who are retiring or who are not returned will have two options in terms of their ICT equipment and the information contained therein:-

- (i) Members may surrender the computer in their possession and have their data extracted from it and provided to them in a format which would enable them to have access to it on their own personal computer. On departure, assistance and advice will be provided to Members to enable them to transfer data from their old to their new machine. This is the strongly recommended method for Members to continue to have access to their data. The Oireachtas will not charge Members for this service.
- (ii) Alternatively, members may choose to retain the computer in their possession. **However, if this option is chosen, they MUST also purchase the required software in order to access their data.** The cost of the required software is established at approximately €600. In addition, Members who choose this option should be aware that the computer that they acquire is at or near end of life and is no longer under warranty.

### C.1. Print Facility

The print facility will not be available to outgoing TDs during the dissolution period and will cease operations at 7 p.m. on the day of dissolution. Therefore, no new jobs will be accepted from outgoing TDs (whether for internal printing or outsourcing) with effect from the dissolution.

Outgoing TDs may collect outstanding print jobs in the 24 hours after the day of dissolution (i.e. up to 7 p.m. on the date after the day of dissolution). Outstanding print jobs means items that have been received by the print facility which (whether outsourced or not) have already been commenced and are capable of being completed (i.e. printed and finished) within 24 hours of the day of dissolution. Outgoing TDs may also collect jobs which have been printed but have not been finished (e.g. jobs which have been printed but not folded). Other than this, items received before dissolution will not be completed. **Contact Mr. Richie Roe at 6183026.**

### C.2. Email

Outgoing Members may have their e-mail forwarded to an alternative address. This service can be activated by the Member / their staff by creating a new rule in their email account or by sending a request by e-mail to [support@oireachtas.ie](mailto:support@oireachtas.ie) or by letter addressed to The ICT Manager, Leinster House, in which the alternative destination e-mail address is specified, together with the date on which forwarding is to be activated.

When this service is activated inbound e-mail memos will be retained in the Oireachtas email account, and a copy of each inbound memo will be forwarded from the Oireachtas email account to the new destination address. When received at the external destination, the memo will appear to come from the Oireachtas address and not from the original sender.

Alternatively, outgoing Members may set up an out of office message advising correspondents that “For the duration of the election campaign, I am using an alternative email address. Please re-send your memo to me at YOUR NEW EMAIL ADDRESS.”

Email accounts will remain in place until 6 weeks after the day of dissolution for outgoing Members who are not returning. After this time, email accounts (and any diversion or out of office facility) will be deactivated. Outgoing Members are advised to take a copy of their email database if they wish to retain it beyond this. *For enquiries contact ICT Members Support Unit – 6184444 or support@oireachtas.ie.*

### **C.3. Phones**

#### **C.3.1. Call forwarding**

Outgoing Members may request that calls to their Leinster House number(s) be diverted to an outside nominated number. On the date of dissolution of the Dáil, any existing diverts will be automatically discontinued. An outgoing Member may request to have this service continued if written confirmation is provided that (s)he will pay the charges for this service during the dissolution period. Charges will be based on the standard rates payable by the Service and all forwarded calls will be logged during the dissolution period in order to compute charges accurately.

This service may be requested by e-mail to [telecoms@oir.ie](mailto:telecoms@oir.ie) or by letter addressed to The ICT Manager, Leinster House, and must specify the destination phone number and the extension number which is to be forwarded. *For enquiries about phone call forwarding please call 01 6184765 or telecoms@oireachtas.ie.*

#### **C.3.2. Using Oireachtas phone facilities handsets during the dissolution period**

Outgoing TDs are responsible for the use of their Oireachtas phone facilities following the dissolution. The Service will log all calls from the phone lines of all outgoing TDs and Senator Candidates from the date of dissolution. After the election, the Service will use the phone logs to provide a statement of all calls made and each outgoing TD will be required to pay for all calls which do not arise from ongoing representational duties.

Any TD/Senator may contact the ICT Unit to request to have their handsets and fax lines locked. This will be carried out as soon as possible and a new password will be applied to the handset in order to prevent unauthorised use by third parties.

Senators may continue to use Oireachtas phones for duties associated with their role as Senators. However, Senators who are candidates in a Dáil general election must include the cost of use of their Leinster House phone facilities for purposes associated with the Dáil election campaign in their expenditure return to the Standards in Public Office Commission. While the Service can provide a statement of calls and costs, it will be a matter for each Senator to determine the proportion of calls related to electoral work.

### **C.4. ICT equipment**

#### **C.4.1. Moving Equipment**

Members may request ICT equipment in Leinster House to be moved, e.g. to a constituency or home location, before the dissolution of the Dáil (though additional broadband or remote access connections cannot be provided at the home or constituency location). A request form will be available on the Houses of the Oireachtas's Intranet site, "The Plinth". Any requests for moving equipment after the date of dissolution must be paid for at cost, which are included in the Appendix. Note that up to five days notice of a move may be required, and whether a charge arises or not is determined by the date of the dissolution, not the date on which the request is made. Please do not under any circumstances move any equipment from Leinster House yourself as this can be dangerous and may damage the equipment. *For enquiries on equipment moves please call 01 618 4763 or support@oireachtas.ie.*

#### **C.4.2. Return of equipment by retiring Members or Members who have not been returned**

Members who are not seeking re-election or who have not been returned are required to surrender their PCs, laptops, printers, scanner, digital dictation equipment and all other hardware (including equipment for connection of remote sites) no later than 6 weeks after the date of the general election. The ICT Unit will make arrangements to collect all ICT equipment (including fax machines, shredders and dictation equipment) by appointment at a time which suits the outgoing Member. If the collection appointment is missed, a charge of €195 will apply for the second appointment. ***For enquiries about return of equipment please call 01-618 4761.***

#### **C.4.3. Purchase of PCs**

Members who retire or are not returned to the 32<sup>nd</sup> Dáil may wish to purchase their current PC but this is not recommended for the reasons outlined earlier in this section. However, advice will be provided by the *ICT Members' Support Unit* to retiring Members who wish to buy a new PC privately and Members choosing that option will be provided with the data they currently hold in a format which can easily be transferred to a new PC and with assistance to enable them to access it on their new machine. Further details at telephone no. **01 6184444**.

Members retiring or not returned to the 32<sup>nd</sup> Dáil may retain their iPads.

***Please contact the ICT Unit at 01 6184999 for more information.***

### **C.5. Data Protection**

#### **C.5.1. Copying data/files**

If Members wish, ICT Unit will help them to copy all data and files from the network to a USB device (e.g. a memory stick or external hard drive), a CD or a DVD. USB devices are available from the ICT Unit. The ICT Unit cannot provide copies of data stored on individual PCs. This should be copied by the user. This applies both to instances where Members wish to take away their data/files for the election period and where an outgoing Member is retiring or is not returned and wishes to retain copies of all data/files. ***For enquiries on copying your data and files please call 01 618 4444 or support@oireachtas.ie.***

Members are reminded of the need to encrypt data stored on portable media (memory sticks or hard drives) as such media, by their very portability are prone to loss or theft. Encryption ensures that data stored may only be accessed by authorised persons. All devices provided by the ICT Unit will be encrypted. Members should also encrypt sensitive personal data which is to be transmitted by email or otherwise to be transmitted on networks outside the Oireachtas.

Outgoing Members are reminded that the exemption from registration with the Data Protection Commissioner arises by virtue of membership of the Oireachtas, and that if they store or use personal data following their cessation as Members, they are legally required to register with the Data Protection Commissioner for so long as they retain or use such data. For enquiries about registration with the Data Protection Commissioner, please contact the Commissioner's office at **057 868 4800**. Outgoing Members are also reminded that personal data which was given to them by constituents may not be transferred to third parties without the consent of the data subject.

#### **C.5.2. Advice on the disposal of data**

Data kept by Members of the Houses of the Oireachtas can be categorised as either data within the scope of the *Data Protection Acts 1988 and 2003* or other forms of data. This advice deals with the treatment of both categories of data by persons who cease to be Members of the Houses of the Oireachtas following the forthcoming General Elections.

#### **C.5.3. Data within the scope of the *Data Protection Acts 1988 and 2003***

The *Data Protection Acts 1988 and 2003* set out strict rules for the collection, processing, keeping, use and disclosure of personal data and sensitive personal data. It is important to note that –

- the term “data” includes data held electronically and data held in paper files which are part of a “relevant filing system” (i.e. a structured set of data accessible according to specific criteria);
- erasing, destroying, storing, copying, printing, sharing or disclosing data comes within the definition of the term “processing”; and
- different rules apply to the processing of “personal data” as distinct from “sensitive personal data”.

### Definitions from the Data Protection Acts

<p><b>“Personal data”</b> means:</p> <p>data relating to a living individual who is or can be identified either from the data or from the data in conjunction with other information that is in, or is likely to come into, the possession of the data controller.</p>	<p><b>“Sensitive personal data”</b> means personal data as to:</p> <p>(a) the racial or ethnic origin, the political opinions or the religious or philosophical beliefs of the data subject,</p> <p>(b) whether the data subject is a member of a trade union,</p> <p>(c) the physical or mental health or condition or sexual life of the data subject,</p> <p>(d) the commission or alleged commission of any offence by the data subject, or</p> <p>(e) any proceedings for an offence committed or alleged to have been committed by the data subject, the disposal of such proceedings or the sentence of any court in such proceedings.</p>
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Provided Section 2 of the *Data Protection Acts 1998 and 2003* has been complied with, i.e. the data has been obtained fairly (which usually means that the data subject must be aware that his/her data has been obtained by the Member – one significant exception to this relates to Members’ entitlement to a copy of the electoral register), is accurate and complete etc. a former Member or one of his/her staff acting on his/her instructions would be entitled to destroy personal data. This is because the destruction of such data would be deemed “necessary for the purposes of the legitimate interests pursued by the data controller”. In other words, since the person has ceased to be a Member of a House of the Oireachtas, the person has a legitimate interest in disposing of the data collected and used during his or her tenure as a Member. Equally, the destruction of the data would be consistent with the principle in the Act that data obtained only for one or more specified, explicit and legitimate purposes shall not be kept for longer than is necessary.

However, different (and more stringent) rules apply to sensitive personal data or to data which you believe is not held by anyone else. In relation to these types of data, a former Member is obliged to contact the data subject before deleting the data and offer to return the data to the data subject. If no reply is received within 8 weeks, the data may then be deleted.

Members of the 31<sup>st</sup> Dáil or the 24<sup>th</sup> Seanad who cease to be Members may not transfer personal data or sensitive personal data to their current staff, party colleagues, family members or to any other person, even if that person becomes a Member, or an employee of a Member, of the 32<sup>nd</sup> Dáil or 25<sup>th</sup> Seanad, nor may they make such a transfer while they are Members of either House. This also applies to copies of the electoral register which Members may have in their possession.

#### C.5.4. Other forms of data

The *Freedom of Information Act 2014* and the *National Archives Act 1986* do not apply to the private papers of former Members of the Houses of the Oireachtas. Therefore, there is no statutory impediment to destroying other data or information. However, if papers contain confidential information, former Members should ensure the papers are disposed of appropriately.

### **C.5.5. Specific actions to be taken / avoided by outgoing Members**

You must ensure that personal data and sensitive personal data, obtained for use in connection with your representational duties as a TD / Senator, are not further processed after you cease to be a TD / Senator. In the absence of explicit consent of the data subject, you may use personal data and sensitive personal data only for the purpose(s) for which it was given to you. Thus, for example, if a constituent gave you their email address, PPSN, phone number, email address and details of their employment history and social welfare contributions history to assist with a pension query which was resolved six months ago, you may not now use their contact data for the purpose of contacting them to canvass electoral support. If however, at the time of collecting the data, you made it clear that you intended to use contact details in future and the data subject gave their consent to your use of their data for contact purposes in future, then you may use those contact data for that purpose. If there is any doubt as to whether the data subject has granted consent to the use of their personal data for a particular purpose, you should always ask the data subject.

As a member of the Oireachtas, you may use names and postal addresses if these appear in the current register of electors, to which TDs and Senators have a statutory entitlement under the Electoral Acts. This entitlement applies to TDs in respect of the constituency in which they were elected and to Senators in respect of the constituency in which they resided at the time of their election / nomination. The exemptions apply to constituencies as they currently exist, and not to revised constituencies which will come into existence at the dissolution of the Dail - e.g. Donegal (currently Donegal North East and Donegal South West), Roscommon Galway (currently Roscommon South Leitrim), or Dublin Bay North (currently Dublin North Central and Dublin North East). Section 3(1) of the Electoral (Amendment) (Dáil Constituencies) Act, 2013 refers. Names and addresses obtained from the electoral register may be used only for electoral and other statutory purposes.

If you cease to be a TD / Senator, but you keep personal data in electronic or hard copy formats, then you must register with the Data Protection Commissioner. Article 18(1) of the Data Protection Directive obliges member states to register data controllers, and was transposed into Irish law by Section 19(1) of the Data Protection Acts. That Section provides that " A data controller..... shall not keep data unless there is for the time being an entry on the register in respect of him.". Sitting TDs and Senators are exempt from the requirement to register with the Commissioner by virtue of Section 16(1) of the Data Protection Acts and Regulation 3(1)(b)(iii) of Statutory Instrument No. 657 of 2007 - that exemption ceases for TDs on the day the Dáil is dissolved, and for Senators on the last day of each Seanad (the day before the Seanad General Election).

If you cease to be a Deputy / Senator, you must bear in mind that personal data may be retained only for the specific legitimate purpose for which it was sought / received. Once that purpose ceases, then the data should not be retained. Personal data received by a Deputy / Senator for a particular purpose in their role as a Deputy / Senator may not be further processed after the Deputy / Senator ceases to be a member of the Oireachtas

The Data Protection Commissioner has provided a detailed note on data retention rules, and it can be accessed on the Commissioner's website at - <https://www.dataprotection.ie/docs/Data-Protection-Rule-7/31.htm>

A note dealing with purpose limitation/retention is available at <https://www.dataprotection.ie/docs/Guidance-Note-for-Data-Controllers-on-Purpose-Limitation-and-Retention/859.htm>

You must ensure that personal data, and in particular contact data such as mobile phone numbers, landline phone numbers, email addresses and social media contacts, are not used for electoral purposes if they were obtained for the specific purpose of assisting a citizen with a matter of concern to her / him (such matters routinely relate to planning permissions, grant applications, housing matters, medical card applications, social welfare benefits).

You must arrange to have hard copy records which contain sensitive personal data destroyed in such a manner as ensures that there is no risk of unauthorised access to data being gained by any person in future - we recommend cross-cut shredding.

You must ensure that data on any external storage media (USB sticks, SD memory cards, Micro SD memory cards, hard drives, etc.), or on smart phones, PDAs, tablets, notebooks, laptops, PCs or similar devices with internal or removeable storage, is deleted securely using software designed for that purpose, or that the storage medium is securely destroyed;

You should request confirmation from the Oireachtas ICT Unit that -

any data held on servers provided by the Houses of the Oireachtas Service (such as data entered in Members' constituency databases, data held in Members' email accounts, data held in the email accounts of current and former staff of Members, data held on the network share of Members and the network shares of their current and former staff) has been securely deleted;

the hard drives of any computers or laptops returned by Members will be subject to a process which securely and irrevocably deletes all data, and

all data contained on any iPad or other tablet device returned to the ICT Unit will also be securely deleted

You must ensure that any copies of data taken by your staff for the purposes of supporting you in the performance of your duties as members of the Oireachtas have been returned for deletion / destruction;

You must ensure that any data transferred by you or your staff to external data service providers (such as online service providers, cloud service providers - e.g. Amazon, Microsoft, Apple, Box, Dropbox) or any other service provider, is deleted from that service provider's systems, notwithstanding the fact that the data should have been encrypted before being transferred to the service provider;

You must ensure that no personal data or sensitive personal data gathered during your period as a TD / Senator is transferred to any third party (this includes transfers to your staff, family members, party colleagues, friends or other candidates for election).

***Contact Mr Charles Hearne in relation to data protection matters: 01 618 3113***

## **Section D: Parliamentary and Secretarial Staff**

**Section D will assist Members in understanding the various obligations relating to their staff upon dissolution**

### **D.1. Payment of staff (employed under the Scheme for Secretarial Assistance) during the period following the dissolution of the Dáil**

These guidelines apply only to staff employed under the Scheme for Secretarial Assistance, i.e. employees of individual Members and employees of the Parties. The guidelines do not apply to “temporary vouched employees”.

#### Staff Salaries and Overtime

Following the dissolution of the Dáil, TDs’ individual staff, i.e. parliamentary and secretarial assistants, and the staff of the political parties, i.e. chefs de cabinet, administrators, administrative and secretarial assistants, will continue to be paid up to and including polling.

Staff employed by TDs will not be paid overtime during the dissolution period as parliamentary activity should be scaled down. While the staff of Senators are not subject to the same overtime restriction, overtime forms submitted during the dissolution period should state clearly the (non-election related) purpose of the overtime, given that the Seanad is not likely to meet during the period of dissolution of the Dáil.

#### Staff Costs

Where services and facilities provided out of public funds are used by an outgoing TD or Senator candidate, other than in respect of duties as a public representative during the election period, the outgoing TD or Senator candidate must pay the appropriate charge. Staff employed by Members fall within the definition of “facilities” and any work carried out by such staff for a Member’s general election campaign must be reimbursed to the Commission. Each Member will be separately notified, of the actual salary of each employee to allow for any such reimbursement.

#### Annual Leave

Staff may choose to take annual leave following the dissolution period in order to work in an unpaid volunteer capacity for a Member’s General Election campaign, but there is no obligation on the employee of any Member to do so. Members are advised to ensure adequate records of holidays are kept.

### **D.2. Arrangements for staff of Members and Parties following the General Election**

#### Contracts

Generally, staff are employed by an individual TD on the basis of “Dáil to Dáil” or fixed term/ specified purpose contracts. Following the day of the General Election, employees will have a six week period from polling day to secure a new contract for the term of the new Dáil. Employees will continue to be paid during that six week period. The same arrangements will be in place for staff employed by Senators for a period of two weeks from the date of the Seanad election.



Staff employed directly by the Parties under the Scheme for Secretarial Assistance are also employed on a fixed term contractual basis. Therefore, the same provisions in relation to securing a new contract and the VER may apply. If a new contract is not secured, an application for a VER should be made not later than 6 weeks from polling day

Without exception, all Members and Parties must enter into a new contract with each of their staff following an election, including when re-hiring staff formerly employed by them during a previous Dáil/Seanad term. Members and Parties must use the template contract supplied to Party Administrators by the HR Unit for Members for all contracts without exception. The role of the Service in such employment relationships will be the payment of salary. Ancillary matters, such as accommodation, will be a matter for the political parties.

#### Voluntary Early Redundancy and Retirement Arrangements

The Voluntary Early Retirement and Redundancy (VER) package only applies to staff employed under the Scheme for Secretarial Assistance. Where staff do not secure a new contract the VER may apply. A VER may be made available to staff under the age of 65 who cannot secure a contract in the 32<sup>nd</sup> Dáil or the 25<sup>th</sup> Seanad.

The Minister for Public Expenditure and Reform has the authority to sanction the VER and employees under the Scheme are therefore not guaranteed that they may be able to avail of it. The package approved by the Minister in 2011 provided staff with four weeks pay per year of service, plus a supplement of one third which could not exceed 28 weeks. Since the start of the 31<sup>st</sup> Dáil, the VER Scheme has been modified by the Minister so as to remove the one-third supplement from all service accrued since the 31<sup>st</sup> Dáil – the one-third supplement will however continue to apply to service accrued by staff up to and including 25 February 2011. The terms of the VER are a matter for the Minister for Public Expenditure and Reform. As soon as any such package is approved, we will notify the Party Administrators and all staff employed under the Scheme.

#### Arrangements for staff employed under the Scheme for Secretarial Assistance who are not under the age of 65

Staff employed under the Scheme for Secretarial Assistance who are not under the age of 65 may seek to secure a new contract for the next Dáil and Seanad. Where it is not possible to secure a new contract then the benefits under the Superannuation Scheme (for officers employed under the Scheme for the provision of Secretarial Assistance) shall apply.

The normal benefit for staff is a pension of 1/80<sup>th</sup> of net pensionable remuneration for each year of service, to a maximum of 40/80<sup>th</sup> and a lump sum of 3/80<sup>th</sup> of pensionable remuneration for year of reckonable service to a maximum of 120/80<sup>ths</sup>.

The normal benefit payable under the Scheme may appear complicated. However, it is the same benefit which is payable under the typical Superannuation Schemes which apply in the Public Service. Individual estimates of entitlement will be provided on request from **Mr Derek Walker (01 618 4672)**.

### **D.3. Staff employed and paid from the Secretarial Allowance (T.V.E.)**

Staff employed under the Secretarial Allowance as temporary vouched employees (available to TDs only) may be paid their salary up to and including the day of dissolution. They will not qualify for any payments under the VER package. Members with temporary vouched employees will be contacted by the Service with details of any statutory entitlements that may apply.

#### **D.4. Staff employed by Office Holders**

The provisions in this section only apply to the staff of Members who are not Office Holders. Arrangements for the staff of Office Holders are a matter for the relevant Department. Arrangements for staff of Oireachtas Office Holders will be notified to each Office Holder by *Ms Orla Scott, Personnel Officer (01 6183444)*.

#### **D.5. Contacts**

All queries on the operation of the Scheme for Secretarial Assistance can be addressed to the HR Unit for Members – *contact Derek Walker or Dave Gorman on 01 618 4672 or 01 618 3412 or [hmembers@oireachtas.ie](mailto:hmembers@oireachtas.ie)*.

All queries on the operation of the Superannuation Scheme should be addressed to the Pensions Unit – *contact Derek Walker or Oisin Kennedy at 01 618 4672 or 01 618 4055 or [pensions@oireachtas.ie](mailto:pensions@oireachtas.ie)*.

## SECTION E

### Library and Research Service (L&RS)

**A range of information and research services continues to be available to Senators to support them in respect of their Seanad parliamentary duties. A restricted range of services is available to outgoing TDs.**

#### **Access to the L&RS Reading Room, collections and loans service**

The L&RS Reading Room will be staffed from 9.15 a.m.- 6 p.m. (5.30 p.m. on Friday) during the dissolution period. Senators and outgoing TDs will continue to have access to the print newspaper collection in the Reading Room. The daily newspapers will be available from 9.15 a.m.

Senators and outgoing TDs will continue to have access to the print collections via the Reading Room staff and electronic collections via the L&RS intranet pages. Senators will continue to have access to loans.

There will be no loans service for outgoing TDs during the dissolution period. Any publications currently on loan from the L&RS to outgoing TDs, or that have been borrowed on their behalf, must be returned by 6 p.m. on the day of dissolution. Publications may be handed in to staff in the Reading Room or put into an envelope addressed to "Library & Research Service".

#### **On-demand and proactive research services**

No proactive research services will be provided during the dissolution period.

Senators will continue to have access to an on-demand information and research service, these services will not be available to outgoing TDs.

All live reference and research requests from outgoing TDs will fall at 6 p.m. on the day of dissolution. L&RS staff will endeavour to complete all reference and research queries (or substantial parts of same) by the day of dissolution. Information and research queries which have not been completed prior to dissolution are required to be re-submitted by TDs, if re-elected, after the General Election.

Back issues of the *Bill Digests*, *Notes* and *Spotlights* are available via the L&RS intranet pages.

#### **Further information**

If Senators and outgoing TDs have any queries in relation to the library and research services available during the dissolution period they should contact *Madelaine Dennison, Head of Library and Research Services, 01 618 4735.*

## Section F: Guidelines and charges in relation to the use of services and facilities following dissolution of Dáil Éireann

Section F is to inform Members of the costs relating to using Oireachtas services following the dissolution of the Dáil and to remind them of their obligation to certify and reimburse the Commission for their use of services provided from public funds.

### Introduction

The Houses of the Oireachtas Commission (“Oireachtas Commission”) has prepared the following guidelines for outgoing TDs and serving Senators who are contesting the next Dáil General Election (“Senator candidates”), pursuant to section 4 (4A) of the *Houses of the Oireachtas Commission Act 2003* (as inserted by section 4 (c) of the *Houses of the Oireachtas Commission (Amendment) Act 2009*). This subsection reads as follows:

“(4A) The Commission may prepare and publish guidelines for Members of Dáil Éireann and Seanad Éireann in relation to the use of services and facilities provided out of public funds following a dissolution of Dáil Éireann, and—

(a) may provide such services and facilities, and

(b) shall specify an appropriate charge for such use made other than in respect of duties as public representatives.”

### Context and application of these Guidelines

- I. Most of the allowances and facilities which are made available to serving TDs cease to be provided on dissolution of the Dáil – these guidelines are mainly concerned therefore with the limited range of services and facilities which continue post dissolution, namely, secretarial staff, use of office and ICT equipment, access to Leinster House offices and the use of telephone, fax and copying facilities in Leinster House. The guidelines also cover the use of facilities which cease to be available on dissolution but which can be retained for use following dissolution, such as material printed in the Leinster House printing facility, pre-paid envelopes and stationery/consumables.
- II. The purpose of these guidelines is to –
  - a) identify and notify to Members the services and facilities which will or will not be made available to them following a dissolution of the Dáil; and
  - b) set out how Members will be required to certify and reimburse the Oireachtas Commission for use of services and facilities provided out of public funds other than in respect of duties as a public representative.
- III. It is important to emphasise that individual outgoing TDs and Senator candidates are responsible for remaining within the statutory expenditure limits in relation to election expenses.<sup>5</sup> It is not a matter for the Oireachtas Commission to advise Members on how they should comply with their obligations under election expenditure controls. It is for outgoing TDs and serving Senators, as candidates in the General Election, together with their election agents, to determine their

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<sup>5</sup>“Election expenses” are defined in section 31(1) of the *Electoral Act 1997* (available at: <http://www.irishstatutebook.ie/1997/en/act/pub/0025/sec0031.html>) and have been amended by section 10 of the *Electoral (Amendment) Act 1998* (available at: <http://www.irishstatutebook.ie/1998/en/act/pub/0004/sec0010.html>) and section 50 of the *Electoral (Amendment) Act 2001* (available at: <http://www.irishstatutebook.ie/2001/en/act/pub/0038/sec0050.html>).

reporting obligations under the *Electoral Act 1997*,<sup>6</sup> as amended, in accordance with the guidelines for that election published, or advice given, by the Standards in Public Office Commission (SIPO).

- IV. The effect of the Supreme and High Court judgments in the Kelly case<sup>7</sup> is that post-dissolution facilities and services, like all services and facilities provided out of public funds, if used for election purposes, must be accounted for within a candidate's election expense limit. Ultimately it is for SIPO to advise candidates on what should be included as having been used for election purposes in that regard.
- V. Members should be aware that, in the event of a legal challenge or challenges subsequent to the General Election, all candidates in the constituency or constituencies under challenge will be subject to scrutiny.

## Guidelines

### General principle

1. In exercise of its powers under section 4(4A) of the *Houses of the Oireachtas Commission Acts 2003 to 2013*, the Oireachtas Commission has decided that outgoing TDs may use services and facilities provided out of public funds (within the meaning of paragraph 2 below) provided by the Houses of the Oireachtas Commission, in the period following a dissolution of Dáil Éireann up until polling day ("the election period") in order to attend to their duties as public representatives, such as ongoing constituency casework within the meaning of the definition below. There will be no charge for this use. However, services and facilities provided out of public funds which are used for election purposes are subject to the charges shown on pages 22 and 23 of these Guidelines.

### Services and facilities provided out of public funds

2. Services and facilities provided out of public funds include:
  - Leinster House accommodation and access;
  - staff employed under the Scheme for Secretarial Assistance whether located for their employment in or outside of Leinster House, e.g. secretarial assistants and, where applicable, parliamentary assistants;
  - ICT and other office equipment;
  - telephone facilities in Leinster House;
  - postal facilities;
  - photocopying;
  - stationery/consumables; and
  - printed material funded by the Oireachtas Commission.

Such services and facilities do not include the use of the Leinster House printing facility after the date of dissolution. This facility will be closed to outgoing TDs during the election period (ref. page 9). Senators may continue to use the Leinster House printing facility for routine printing

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<sup>6</sup> Available at: <http://www.irishstatutebook.ie/1997/en/act/pub/0025/index.html>.

<sup>7</sup> *Kelly v. Minister for the Environment* [2002] IESC 73, available at: <http://www.bailii.org/ie/cases/IESC/2002/73.html>.

connected with their Seanad parliamentary duties but may not use the facility for electoral purposes connected with the General Election.

#### Ongoing constituency casework

3. Ongoing constituency casework includes reasonable constituency business but excludes work on new representations, i.e. an enquiry which had not been raised with the candidate prior to the General Election, which are received by an outgoing TD or Senator candidate in the course of canvassing for election at the General Election or services or facilities used for the purpose of any form of unsolicited communication issued by a candidate to any of the electorate.

#### Use other than in respect of duties as a public representative

4. Where services and facilities provided out of public funds are used by an outgoing TD or Senator candidate other than in respect of duties as a public representative during the General Election period, the outgoing TD or Senator candidate shall pay the appropriate charge for such use specified by the Oireachtas Commission (see schedule of charges on pages 22 and 23 of these Guidelines).

#### Use of services/facilities provided prior to dissolution

5. The use of services and facilities for election purposes provided prior to dissolution, such as –
  - a) printed material funded by the Oireachtas Commission,
  - b) pre-paid Houses of the Oireachtas envelopes, or
  - c) stationery or consumables,

must be declared and certified to the Oireachtas Commission and the cost reimbursed in accordance with the schedule of charges set on pages 22 and 23 of these Guidelines. The statutory definition of “election expenses” set out in section 31 of the *Electoral Act 1997*, as amended by the 1998 and 2001 Acts, will assist Members in determining whether usage is electoral in nature or not. Ministers and Ministers of State should be aware that declarations in respect of Houses of the Oireachtas-provided material should be made on a Houses of the Oireachtas declaration form (see the Appendix to these Guidelines). Declarations made by Ministers in respect of facilities which are provided by their parent Department should refer only to facilities thus provided by that Department. In this respect Ministers and Ministers of State should make two separate declarations if facilities are used from separate allocations.

#### Assessment of charges to be paid

6. Each individual outgoing TD or Senator candidate shall assess the charges payable to the Oireachtas Commission, based on the percentage of his/her use of services/facilities for purposes other than in respect of duties as a public representative in the election period. In making this assessment, regard should be had to –
  - (1) the definition of “election expenses” as set out in section 31 and the schedule to the Electoral Act 1997, as amended; and
  - (2) the guidelines issued by the Standards in Public Office Commission for the General Election to the 32nd Dáil.

The responsibility to make such enquiries and maintain such records as are necessary to enable assessment of the charges payable to the Oireachtas Commission rests with each individual outgoing TD or Senator candidate.

7. Outgoing TDs and Senator candidates are advised that they, together with their election agent where appropriate, should –
- (1) make such arrangements in relation to their office administration, and
  - (2) issue such instructions to their staff
- as are necessary in order to ensure compliance with these guidelines and to enable assessment of the charges payable to the Oireachtas Commission.

#### Declaration of use and payment of charges

8. The Oireachtas Commission has prepared a declaration form in respect of the use of services and facilities provided out of public funds to all outgoing TDs and Senator candidates in the Appendix of these Guidelines. Completed forms, accompanied by the appropriate payment, if applicable, must be received as soon as possible after polling day and, in any event, not later than 40 days from polling day.
9. Members should also be further aware that the Standards in Public Office Commission has access on request to the declarations made by Members to the Oireachtas Commission and clarifications are liable to be sought by SIPO should declarations differ on the SIPO declarations which Members are required to complete under the provisions of the *Electoral Act 1997* as amended.

### **Schedule of charges specified by the Oireachtas Commission for use of services and facilities following the dissolution of Dáil Éireann**

	<b>Facility or service</b>	<b>Appropriate weekly charge</b>
<b>1</b>	<b>Leinster House accommodation</b>	Outgoing TD = €190 per week Senator candidate = €75 per week
<b>2</b>	<b>Staff salaries</b>	Individual staff members' salaries will be notified by letter to individual Members  Note - Likely range based on gross salary plus employers' PRSI at 10.75% is minimum of €491 and maximum of €949 per week for a secretarial assistant and minimum of €872 and maximum of €1,108 per week for a parliamentary assistant.
<b>3(1)</b>	<b>ICT and other office equipment</b>	Outgoing TD = €235 per week Senator candidate = €167 per week
<b>3(2)</b>	<b><sup>8</sup>Moving ICT equipment after the dissolution date</b>	€195 and up to €350 for reconfiguration
<b>4</b>	<b>Telephone facilities in Leinster House</b>	Members will be charged according to calls made
<b>5</b>	<b>Postal facilities</b>	Large envelope A4 [up to 250g] = €1.65

<sup>8</sup> See Section C Pages 10 and 12. In addition, a charge of €195 applies only where the first appointment has been missed for the collection of equipment from non – returned Members.

	<b>(pre paid envelopes)</b>	Standard envelope DL [up to 100g] = €0.66
<b>*6</b>	<b>Photocopying</b>	Cost per 1000 copies (including paper) = €18.39
<b>7</b>	<b>Stationery/consumables</b>	A4 paper per 2500 (box) = €12.87 A3 paper per 500 (ream) = €5.03 White envelopes DL 500 (logo) = €9.82 Brown A4 (logo) 250 = €17.17
<b>**8</b>	<b>Printed material funded by the Oireachtas Commission</b>	Indicative ex VAT costings: 4 Page newsletter by 30,000 = €1,350 DL cards 2 sided by 30,000 = €490 A6 cards 2 sided by 30,000 = €430 A4 Letterheads by 30,000 = €530

\*Facilities Management Unit can provide pricing not shown in this table

\*\*The Print Unit can provide pricing for quantities other than those stated above to outgoing TDs or Senator candidates.



## SECTION G

### Guidelines for the allocation of accommodation to Members<sup>9</sup>

1. It is understood that former Members may require some time to vacate their offices following an election given that the Commission allows for the use of offices during an election period<sup>10</sup>.
2. Once the election has taken place, however, the needs of newly elected Members should take priority. A balance must be struck which takes reasonable account of the need to facilitate former Members, while recognising the primacy of the elected Members – see paragraph 3 below.

#### Vacating rooms

3. The Commission has approved the following as deadlines for the complete vacation of offices:
  - retiring Member – 1 week after polling day
  - non-returned Member – 2 weeks after polling day (*Note - this deadline also applies to Members who were not returned to the Dáil and who are contesting the Seanad elections. A shorter deadline applies to retiring Members on the basis that they have notice of the need to vacate their offices, whereas non-returned Members have no such notice*).

The Service aims to allocate an office to every Member of the Houses of the Oireachtas by the first sitting day after the General Election.

4. In order to achieve the above mentioned deadlines it is the policy of the Commission that:
  - (1) All Members must be ready to move once an election is called. The requirement to vacate an office may also apply to returned Members where there is a change in party strength. The Superintendent's Office will facilitate Members by providing packing crates. The Superintendent's Office will also provide advice on the location and cost of off-site storage, if required.
  - (2) The Commission, acting through the Superintendent's Office, will enforce the prompt vacation of offices in accordance with the deadlines set out at point 3 above.
5. In the event of difficulty in enforcing the guidelines, the Superintendent will refer the matter to the Ceann Comhairle, who will decide on the matter in his capacity as Chairperson of the Commission. The Ceann Comhairle's decision will be final.

#### Note on roles and responsibilities in relation to room allocation:

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<sup>9</sup> Approved by the Houses of the Oireachtas Commission on 16 December, 2009.

<sup>10</sup> Though such use may be subject to charges as set out in Section F at page 22.

***Houses of the Oireachtas Commission:*** The Commission has a statutory function in preparing guidelines for Members on the use of publicly funded facilities following the dissolution of Dáil Éireann, which includes specifying charges for such use. Office accommodation comes within this statutory function. The guidelines agreed by the Commission for the period following the dissolution of the 30<sup>th</sup> Dáil specified charges to be applied in the period to polling day in the Dáil General Election. Therefore, the Commission has a clear role in giving guidance and ensuring clarity on this issue as it concerns the use of facilities by former Members and balancing this against the legitimate expectation and entitlement of newly elected Members to be provided with accommodation within a reasonable time of their election.

***Party Whips:*** The assignment of office space to a political party is a matter for the Chief Whip, in agreement with the other Party Whips, and is based on the strength of each party returned to the Houses. When agreement is reached on the bulk allocation of space to each party, the individual Whips then allocate the offices within their own parties. They do this with the assistance of their own Party Administrators. The ‘local knowledge’ on accommodation needs and preferences of Members, and internal party arrangements, is based within the parties.

***Office of the Superintendent:*** This office supports the Commission in carrying out its statutory functions and also provides the Party Whips and Administrators with information on the size and location of offices and party occupation prior to the election. This office also executes moves once they are agreed by the Whips. When requested, the office can provide advice on possible accommodation solutions but the final decisions and agreements are made amongst the Parties.

***Contact Mr. Michael O’Brien at 01 6184814.***

# SECTION H

## Staff Contacts

<b>Salaries, Allowances, Entitlements &amp; Voluntary Schemes</b>	Paula Cowan Maureen Kilkenny Colm Kennedy Aoife Byrne	Ph: 6184693 6184678 6184804 6183729
<b>Pension and termination payments</b>	Derek Walker	Ph: 6184672
<b>Secretarial and Parliamentary Assistants</b>	Fionnuala Bourke	Ph: 6183276
<b>Stationery Stores</b>	David Wheatley	Ph: 6183117
<b>Prepaid envelopes</b>	Celine McMahon	Ph: 6184817
<b>Postal Facilities</b>	Enquiries Office (David Pierce/Alan Ruane)	Ph: 6183243
<b>Office Facilities/Accommodation</b>	Michael O'Brien	Ph:6184814
<b>ICT</b> (return of equipment)	Michelle Conville	Ph: 6184772
<b>Phones</b> (to arrange for external forwarding)	Helpdesk	Ph 6184002
<b>Broadband</b> (to arrange for disconnection or name change)	Karen O'Callaghan	Ph: 6184769
<b>ICT General Enquiries</b>	Jenny McKell	Ph: 6184763
<b>Data Protection Matters</b>	Charles Hearne	Ph: 6183113
<b>VHI</b>	Ciara O'Mahoney	Ph: 7997043
<b>Willis [insurances etc]</b>	Roddy Mellotte	Ph: 7996513 086/8063109
<b>Library and Research Service</b>	Madelaine Dennison	Ph: 6184735
<b>Print Facility</b>	Richie Roe	Ph: 6183026

**APPENDIX - Declaration Form as to use of services and facilities provided out of public funds following a dissolution of Dáil Éireann**

<p><b>Declaration as to use of services and facilities provided out of public funds following a dissolution of Dáil Éireann</b></p> <p><b>Section 4(4A) - Houses of the Oireachtas Commission Acts 2003 to 2009</b></p> <p><b>GENERAL ELECTION FOR THE 31<sup>TH</sup> DÁIL</b></p>
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**Please read the information notes provided before completing this form**

Name [*block capitals*]: \_\_\_\_\_

Address: \_\_\_\_\_

Total amount payable to the Oireachtas Commission [enclosed]: € \_\_\_\_\_

Note – this declaration form, accompanied by the appropriate payment, if applicable, must be received by the Oireachtas Commission not later than 40 days from polling day. Cheques should be made payable to the Houses of the Oireachtas Commission

Ref	Facility/service	(1) Appropriate full charge [Weekly]	(2) % of use other than in respect of duties as a public representative	(3) Actual charge payable based on column (1) and (2) [see note 4]
1	<b>Leinster House accommodation</b>	Outgoing TD = €190 per week  Senator candidate = €75 per week		
2	<b>Staff salaries</b> <ul style="list-style-type: none"> <li>• secretarial assistant</li> <li>• parliamentary assistant</li> </ul>	Individual staff members' salaries will be notified by letter to individual Members prior to dissolution  Note: Likely range based on gross salary plus employers' PRSI at 10.75% is minimum of €491 and maximum of €949 per week for a Secretarial Assistant and minimum of €872 and maximum of €1,108 per week for a Parliamentary Assistant		
3	<b>ICT and other office equipment</b>	Outgoing TD = €235 per week  Senator candidate = €167 per week  Moving of ICT equipment after the date of dissolution = €195 and up to €350 for reconfiguration		
4	<b>Telephone facilities in Leinster House</b>	Members will be charged according to calls made		
5	<b>Postal Facilities (pre paid envelopes)</b>	Large envelope A4 [up to 250g] = €1.65  Standard envelope DL [ up		

		to 100 g] = €0.66		
<b>6.</b>	<b>Photocopying</b>	Cost per 1000 copies (including paper) = €18.39		
<b>7.</b>	<b>Stationary/consumables</b>	A4 paper per 2500 (box) = €12.87 A3 paper per 500 (ream) = €5.03 White envelopes DL 500 = €9.82 Brown A4 (logo) 250 = €17.17		
<b>8.</b>	<b>Printed material funded by the Oireachtas Commission</b>	Indicative costings (ex VAT): 4 Page newsletter by 30,000 = €1,350 DL cards 2 sided by 30,000 = €490 A6 cards 2 sided by 30,000 = €430 A4 Letterheads by 30,000 = €530		

**The above declaration is, to the best of my knowledge and belief, correct in every material respect and I took all reasonable action in order to be satisfied as to its accuracy.**

Signature: .....

Date: .....

*Notes*

*Notes*

