



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

*Minutes of the Commission
Tuesday, 13th May, 2014*

1. The fourth meeting of the Commission of 2014 took place at 12.00 p.m. in Room 2, Leinster House.

2. **MEMBERS PRESENT**

Deputy Seán Barrett, Ceann Comhairle (Chairperson), Senator Paddy Burke, Cathaoirleach of the Seanad (Deputy Chairperson), Deputy Bernard Durkan, Deputy Frank Feighan, Deputy Dan Neville and Deputy Jack Wall.

3. **MINUTES OF PREVIOUS MEETING**

The minutes of the meeting of 15 April 2014 were agreed by the Commission.

4. **Matters Arising**

Members noted and expressed appreciation for the information briefing on the process involved in the audit of payments under Public Representation Allowance which was provided to members selected for audit.

The Commission was updated on the security review that is currently underway following the incident that occurred recently within the precincts of Leinster House.

The Commission agreed to include a review of catering services in the Houses as an agenda item for its next meeting.

5. **REPORT FROM THE FINANCE COMMITTEE**

Senator Paddy Burke, Cathaoirleach and Chair of the Finance Committee, presented a report from the Finance Committee on expenditure for the period January to March 2014. It was noted that total estimated expenditure for the current year was €108.3m. Actual expenditure to end of March was €23.84m against a budget of €26.646m. This is a variance of €2.8m of which €0.9m relates to pay and pension and €1.9m relates to non-pay.

Compared with the same period in 2013, gross expenditure decreased marginally. The direct costs of running Dáil Éirenn increased by €0.19m, which was mainly due to expenditure relating to members' postal expenses that arose in March this year. The direct costs of running Seanad Éirenn increased by €0.009m mainly due to members' staff costs. Oireachtas committee expenditure decreased by €17,000. Expenditure on administration and other services decreased by €0.2m mainly due to a decrease in pay and pensions.

The Commission noted that funding will be required to undertake necessary maintenance work in Leinster House over the coming months.

6. BRIEFING ON RECENT COURT CASES INVOLVING THE HOUSES OF THE OIREACHTAS

The Commission was briefed by the Parliamentary Legal Adviser on recent court cases involving the Houses of the Oireachtas including the Supreme Court decision in *Callery Vs Moylan and others*.

The Commission agreed to request the Joint sub-Committee on Administration to review the definition of "normal place of residence" for the purpose of the Oireachtas (Allowances and Facilities) Regulations 2010 in view of the Supreme Court's observations in the *Calley* case on how this term is defined and understood.

The Commission also recommended the establishment of a special committee, comprised of members of both Houses, to draft Standing Orders for both Houses to give effect to the ethical rules and obligations laid down in the Ethics Acts. The Commission asked that a proposal on the matter, including draft terms of reference, be prepared for its next meeting.

7. CORRESPONDENCE

(1) Request for additional secretarial facilities under regulation 3(1)(b)(ii) of SI No. 2 of 2013

The Commission considered a letter from Deputy Catherine Murphy, enclosing a copy of a letter from the Minister for Public Expenditure and Reform, requesting the Commission to consider the provision of additional secretarial support in respect of the duties of the Technical Group Whip under regulation 3(1)(b)(ii) of SI No. 2 of 2013 on the basis of exceptional circumstances.

The Commission noted that the guidelines adopted by it for assessing requests for additional resources in exceptional circumstances are concerned solely with the provision of additional resources to assist individual members with a disability.

The Commission was of the view that the application of the Scheme on the provision of secretarial facilities must be fair as between different members.

In view of the issues raised the Commission decided to seek clarification from the Minister for Public Expenditure and Reform. On receipt of this clarification from the Minister it will give further consideration to the request for additional secretarial support.

(2) The provision of graphic design services

The Commission considered a letter on behalf of the Joint sub-Committee on Administration regarding the provision of graphic design services for the Sinn Féin Party, Dáil Technical Group and Independent Members of the Dáil.

The Commission noted that a graphic design outsourcing budget of €90k is available to be drawn down by parties/members on a proportional basis and that this budget had not been availed of in recent years.

The Commission agreed to write to the Joint sub-Committee on Administration to advise it of the €90k annual budget that is available for outsourcing graphic design support.

8. UPDATE ON AGED CATERING DEBTORS

The Commission noted the action taken to date to reduce the level of aged catering debt.

The Commission agreed in principle to the recruitment of a credit controller who will have responsibility for this area on an ongoing basis.

9. UPDATE ON THE NATIONAL GALLERY OF IRELAND REFURBISHMENT WORKS

The Commission noted the information provided by the Office of Public Works on the refurbishment works underway to the National Gallery of Ireland. It also noted that the time for completion of the works under the contract is two years.

10. ANY OTHER BUSINESS

Development of the site of the former Siopa in Leinster House

The Commission noted a letter received by Deputy Bernard Durkan regarding the proposed development of the site of the former Siopa in Leinster House. The Commission also considered an email received by all members of the Houses on the same matter.

It was agreed that the Secretariat would reply to the correspondence to clarify the Commission's decision in this matter.

There being no other business, the meeting adjourned at 1.20 p.m.

SEÁN BARRETT, T.D.,
Ceann Comhairle and Chairperson of the Commission.

Dated: 24 June 2014