

**INDEPENDENT AUDITORS REPORT
TO THE HOUSES OF THE OIREACHTAS COMMISSION
PURSUANT TO THE PUBLIC REPRESENTATION ALLOWANCE
(S.I. No. 84 of 2010 and S.I. No. 149 of 2013)**

24 November 2023

**INDEPENDENT AUDITORS REPORT TO THE HOUSES OF THE OIREACHTAS COMMISSION
PURSUANT TO THE PUBLIC REPRESENTATION ALLOWANCE
(S.I. No. 84 of 2010 and S.I. No. 149 of 2013)**

Background and Scope

The Public Representation Allowance (“PRA”) forms part of the Parliamentary Standard Allowance (“PSA”) system of expenses for Members. Member means a person who was at any time during the relevant period a Member of the 33rd Dáil or 26th Seanad. The PSA comprises a Travel and Accommodation Allowance and the Public Representation Allowance and was introduced on 1 March 2010 on the basis of Statutory Instruments (S.I. No. 84 of 2010 and S.I. No. 149 of 2013). This audit covers the period 1 January 2022 to 31 December 2022.

1 Audit Objectives

The core purpose of the audit was to establish whether Members had valid evidence of vouchers, receipts and bills in respect of the amount paid to them, for expenses which come within the allowable categories in the Regulations S.I. No. 84 of 2010 and S.I. No. 149 of 2013. The audit was based on the following objectives:

- Confirming that Members selected for audit on a random basis had received an allowance for the relevant period;
- Ensuring that Members selected for audit had receipts or vouchers for the final amount received during the relevant period and that this amount did not exceed the following annual allowance limits pro rata for the sample selected:
 - Ministers of the Government and Ministers for State - €16,000 per annum;
 - Members of Dáil Éireann, including office holders but excluding Ministers of the Government and Ministers for State - €20,350 per annum;
 - Members of Seanad Éireann, including office holders but excluding Ministers of the Government and Ministers for State - €12,225 per annum;
- Ensuring that Members selected for audit had certified the amount expended under Regulations in respect of expenses incurred in the performance of their duties as a Member;
- Ensuring that Members selected for audit had certified that the amount subject to vouched expenditure was applied for the purposes as set out in the S.I. No. 84 of 2010 and S.I. No. 149 of 2013 in the performance of their duties, which may include the following:

Members of Dáil Éireann, Ministers of the Government or Ministers of State:

- Rent, rates and other such charges in relation to an office or offices,
- Utilities of an office or offices,
- Improvements to office accommodation,
- Signage in respect of the constituency office,
- Purchase or maintenance of office furniture or equipment,

- Purchase of stationery,
- Insurance, including for office accommodation or equipment and public liability insurance,
- Cleaning of office accommodation,
- Telephone calls, otherwise than from Leinster House, including line rental and mobile phone calls relating to the performance of Members' duties (excluding Ministers of the Government and Ministers of the State),
- Web hosting and other related computer costs,
- Hiring rooms for clinics or other meetings relating to the performance of Members' duties,
- Leaflet and newsletter distribution,
- Advertising relating to the performance of Members' duties,
- Attendance at conferences relating to the performance of Members' duties (except expenses relating to travel),
- Purchase of secretarial support, public relations, information technology (not internet related) and training services for staff under a contract of service.

Members of Seanad Éireann:

- Telephone calls, otherwise than from Leinster House, including line rental and mobile phone calls relating to the performance of Members' duties,
 - Web hosting and other related computer costs,
 - Hiring rooms for meetings relating to the performance of Members' duties,
 - Leaflet and newsletter distribution,
 - Advertising relating to the performance of Members' duties,
 - Attendance at conferences relating to the performance of Members' duties (except expenses relating to travel),
 - Purchase of secretarial support, public relations, information technology (not internet related) and training services for staff under a contract of service.
- Confirming that adequate supporting documentation was available for vouched expenses incurred, including vouchers, receipts or bills;
 - Where the amount of vouched expenses incurred by Members selected for audit total to less than the amount paid to them, that the amounts not incurred are repaid within a period of 2 months of being notified of such overpayment;
 - Ensuring that vouched expenditure subject to audit was only claimed in respect of expenses incurred as a Member of the Oireachtas during the relevant periods.

2 Basis of Selection

In accordance with Regulation 6 of S.I. No. 84 of 2010, 10% of Members in receipt of allowances were selected for audit on a random basis. Accordingly, twenty-two Members were selected.

3 Audit Opinion

In our opinion, nineteen (19) Members selected for audit were able to show receipts/relevant documentation, within allowable expenditure categories for the PRA as set out in the legislation, in respect of the amount of €308,798.20 claimed by them for the period in scope under this audit. We are satisfied that:

- Evidence in the form of vouchers, receipts or bills was available to show that expenses were incurred in the relevant period to the amount of the allowance claimed,
- The amounts claimed were applied wholly in respect of expenses specified in S.I. No. 84 of 2010 and S.I. No. 149 of 2013, and
- The expenses were incurred in the performance of his/her duties as a Member.

In our opinion, three (3) Members selected for audit were unable to show sufficient receipts/relevant documentation within allowable expenditure categories and/or the expenditure was not incurred in the relevant period for the PRA as set out in the legislation specified in S.I. No. 84 of 2010 and S.I. No. 149 of 2013 in respect of a total of €1,524.89 claimed by them for the period in scope under this audit. This expenditure was deemed ineligible for a variety of reasons.

- A total of €639.08 was disallowed as the cost did not fall within an allowable expenditure category.
- A total of €885.81 was disallowed as the Member did not correctly apportion the cost of advertising and/or newsletter distribution with other political representatives who feature in the advertisement/newsletter.

In respect of these three (3) Members, claims of €53,728.33 were considered eligible and were allowed.

4 Refunds

The full refund of €1,524.89 by these three Members was made to the Oireachtas Commission by the date of this report.

5 Recommendations for future consideration in relation to the Oireachtas Guidelines

Having completed our review of Members' expense claims for the period under audit, we present our recommendations for consideration in relation to future Oireachtas guidance to Members.

5.1 Overall Guidance-PRA Expenditure relating to the performance of his or her duties as a Member

Observation:

We noted that the PRA Guidelines set out what expenses are allowable and not allowable and these requirements are emphasised in a number of different locations in the Guidelines. As noted in Section 3 above, in respect of 2022 PRA expense payments a total of €1,524.89 claimed by the Members was deemed ineligible and this expenditure was disallowed for a variety of reasons. During the 2022 audit we noted that; €639.08 was disallowed as the cost did not fall within an allowable expenditure category; and a total of €885.81 was disallowed as the cost of advertisement and/or newsletter distribution was not claimed on a pro-rata basis with other political representatives who featured in the advertisement and/or newsletter distributed.

Although the existing PRA Guidelines provide clear guidance under the "Frequently Asked Questions" and under the Expenditure Category 13 on allowable advertising that can be claimed by Members, we noted this year and previously a number of instances where ineligible advertising expenditure was included in Member's claims. Ineligible expenditure included that on; advertisements/newsletters, which included other TDs and/or Senators and/or Councillors, and had not been claimed on a pro-rata basis in relation to the cost and/or the distribution cost .

There were a number of instances where a pro-rata calculation for the start and end of period was not performed by the Member when submitting their claim for annual charges such as computer maintenance, licences, insurance. This is specifically covered (including an example of pro-rata calculation) on pages 4 and 5 of the PRA Guidelines.

Other areas where ineligible expenditure per the PRA Guidelines was claimed by members included: sponsorship by members; ineligible printing of stationery; hire of room for political party purposes; and the total of members expenses with supporting documentation did not fully tie in with the total amount claimed.

In addition there were some deficiencies in original documentation supplied including; utility invoices (mainly mobile phones and energy costs) not maintained by member resulting in significant delays in getting copies from the supplier; unavailable photographs of advertisements on signs; PPSN numbers not being shown on some invoices under Category 15; unavailability of copy of advertisement and the document in which it appears as required under Category 13; full address of constituency office rented and period of rental not included which is required under Category 1.

Recommendation:

We acknowledge that significant publicity, correspondence and related seminars in relation to the PRA Guidelines are actioned by the Oireachtas Secretariat and One Stop Shop on an on-going basis and to good effect. We recommend that these actions should continue to emphasise the requirements that the expenditure being claimed needs to be: wholly and exclusively incurred in the performance of the member's duties; be for allowable categories of expenditure only; be supported by appropriate back-up documentation covering the purpose and payment of the expenditure; and be incurred in the relevant period.

Additionally, we advise that consideration be given to include guidance in the 2023 PRA Guidelines for the following:

- In Category 13 it is noted that graphic design costs are ineligible. This should be expanded to include consideration of the eligibility or ineligibility of cost of online graphic design tools.