



Northern Ireland
Assembly

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Mr Patrick McCartan CBE
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15 July 2015

Dear Pat,

CONSULTATION ON MEMBERS' OFFICE COST, TRAVEL AND CHILDCARE EXPENDITURE

Thank you for your letter of 6 July 2015 affording me the opportunity to respond to your consultation document.

From my standpoint as Standards Commissioner it is important that whatever schemes are in place are clear so that there is no room for doubt as to whether expenditure is, or is not, proper. Your proposals appear to me to bring much greater clarity to the subject areas.

The only specific matter on which I wish to comment is the proposed payment for use of a room in an MLA's home as their office. I was not clear whether this home office would be instead of, or in addition to, the constituency office. I favour the latter.

As I understand it the use of residential property as an office for which an allowance is paid can have implications for both rating and tax (particularly capital gains) purposes. If that is so, then I think it should be made clear to Members. But equally I believe that the allowance should be payable only if it is clear that the appropriate

bodies have been informed. One option would be to make provision of evidence that HMRC and LPS had been informed a condition precedent to payment of the allowance. But, I believe, a better option would be to make giving consent to the Commission informing HMRC and LPS a condition precedent to payment. The consent could readily be incorporated in the claim form. The Commission would then simply collate the information on an annual basis and pass it to LPS and HMRC.

I am content for this letter to be published as a consultation response.

Yours sincerely



Douglas Bain CBE TD Advocate
Northern Ireland Assembly Commissioner for Standards