

Constituency Allowance

Eligibility

All Members are entitled to reimbursement of authorized expenses for the purpose of **providing non-partisan access and service to constituents**. A definition of non-partisan is provided in this Chapter.

Entitlement to the Constituency Allowance begins when a Member is elected and ceases upon resignation of the Member or dissolution of the legislature. Members must be declared elected by Elections Manitoba before any eligible expenses may be claimed. Please refer to the Effects of Dissolution section of this Manual for information on the effects of dissolution on the Constituency Allowance.

Allowance

Each Member is entitled to claim Constituency Allowance expenses to a maximum annual amount set by region for Winnipeg, Southern and Northern Members. This annual amount is for expenses incurred within a fiscal year from April 1 to March 31.

Members are reimbursed for allowable expenses under the Constituency Allowance from **four categories of expenditures**. These are: ***Office Space Expenses, Office Operation Expenses, Representation Expenses and Staff Salaries***. See the **Authorized Constituency Allowance Expenses** section in this Chapter for a listing of authorized Office Space, Office Operation and Representation expenses. The categories are required for the purposes of reporting Constituency Allowance expenses in the Public Accounts of Manitoba and for Members' Monthly and Annual Reports.

See Chapter 2 - Constituency Assistants Allowance for information on authorized Staff Salary expenses claimable under the Constituency Assistants Allowance and the Constituency Allowance.

A table entitled "*Allowance Entitlements for the Fiscal Year*" is located at the beginning of this Manual and indicates the current maximum annual amounts and category limits for the Constituency Allowance.

Definition of Non-Partisan

Non-partisan means:

- no party names, logos, or anything that identifies **any party, even another party**. No party colours if colour is used in conjunction with a party name, logo or other party identifier. The only exception is that party name, colour and logo may be used on business cards, letterhead, envelopes (return and “send to” address) and Internet communication such as developing and maintaining a home page. Envelope includes an actual envelope as well as a reply envelope that is incorporated into printed material,
- no solicitation for money or votes for a political party, or statements advocating that someone not support a political party with money or votes, and
- no soliciting membership in a party or statements advocating that someone not join or quit a political party.

Calculation of Amounts

Amounts Calculated April 1

The amount of the Members' Constituency Allowance is determined on April 1 of each new fiscal year.

Cost of Living Adjustment

Cost of living adjustments are applied to the maximum annual Constituency Allowance amount, the purchase price that determines if an item is capital property and the additional capital amount for a new Member, on April 1 of each fiscal year.

The cost of living adjustment is **the percentage increase or decrease in the Consumer Price Index for Manitoba over the course of the previous calendar year**. The adjusted amount is rounded up to the nearest dollar.

Prorating of Allowance

When new Members are elected in a by-election or a general election, the amount of their Constituency Allowance is prorated from election day to the end of the fiscal year. Re-elected Members are considered to

have remained Members throughout the election period, and are entitled only to the unspent balance of their Constituency Allowance for the remainder of the fiscal year.

Rent Supplement

A Member may request additional consideration for constituency office rent if his or her rent is more than 20% higher than the average rent for constituency offices in the same region (Winnipeg, Southern or Northern). LAMC has determined that the rent amount under consideration must be after deduction of any utilities that are included in the rent amount.

LAMC has delegated consideration of applications for rent supplement to staff. Members with rent amounts that are more than 20% higher than the average rent for their region will receive a Rent Supplement Application to complete and return to the Members' Allowances Office. Approval is subject to a monthly minimum of \$25.00 and a monthly maximum of \$500.00. Members will be notified of any rent supplement amounts that are approved and these will be added to their Constituency Allowance entitlement on a quarterly basis. Please contact the Members' Allowances Office, 9B Legislative Building, for additional information.

Authorized Constituency Allowance Expenses

1) Office Space Expenses

The following are authorized **office space expenses** for the purpose of providing non-partisan access and service to your constituents up to the maximum annual amount of the Constituency Allowance:

- **rent** for constituency office space. Please ensure you have a **cancellation clause with no more than two months' notice required**. If you cease to be a Member, you (or your estate) are responsible for rent payments owing beyond two months from the month you cease to be a Member. Security deposits are not eligible for reimbursement.
- **occupancy permit** for interior alterations/new occupancy of your constituency office space.
- **non-partisan signs** for the constituency office, including the expense of installing, moving, maintaining and removing them.
- **parking space** if not included in the rent.

- **janitorial services, office mat services, window cleaning, recycling service, snow removal and maintenance of grounds.**
- **utilities** including electricity, water, gas and cable vision, and other services related to the office space.
- **renovation, repair and redecorating** of the constituency office space, including the installation of blinds and draperies.
- **fire extinguisher** and annual servicing.
- **security system, alarm permit, installation and monitoring** costs for the constituency office space.

2) Office Operation Expenses

The following are authorized **office operation expenses** for the purpose of providing non-partisan access and service to your constituents up to the maximum annual amount of the Constituency Allowance:

- **office supplies and stationery**, including pens, paper, clips, staplers, Post-it notes, rulers, scissors, file folders, labels and other such supplies.
- expenses for **beverage supplies** that are for general office use such as coffee and tea.
- **business cards, letterhead, envelopes** and other similar material. This stationery must not have any partisan statement but may have party name, colour and logo.
- **advertising*, whether by signage or by a message that is located on signage such as a bus bench or recycle box rental, community club or other signage, printed on paper, posted on the Internet, broadcast on radio or television or spoken using an automated calling service, if:**
 - the sign or message includes the Member's name, constituency and contact information (e.g. constituency office telephone number, constituency office address or email address).
 - in the case of a sign, it is located in the Member's constituency.

*Advertising must be non-partisan and is for the purpose of providing your constituents with the location and business hours of your constituency office, your contact information or the time and place of constituency meetings and events.

An advertisement can also contain a non-partisan message appropriate to the ad itself. For example, an ad in a community club's program book could have a message of "Best Wishes for the Festival"; an ad in a publication in June could have either a "Happy Father's Day" or a "Congratulations to All Graduates" message or an ad on a recycle box could have a message of "Please Recycle".

- **Christmas cards.**
- **office operating books** such as a dictionary, thesaurus, etc.
- annual subscriptions to **newspapers** and magazines.
- **word processing and spreadsheet software** and manual.
- **translation services** for non-partisan printed material.
- **postal, mailing, messenger, shipping and other similar services**, including stamps, courier service and post office box rentals. Allowable postage expenses cover incidental mailing costs, which are smaller quantity or singular mailings that are individually addressed. This **does not cover bulk mailings of unaddressed mail to constituents.**
- **bank charges** including monthly or annual service fees, overdraft charges and cheque fees. Only a single bank account is allowed, but that single bank account can be used for **all allowances**. The bank account may not be used for personal expenses. The bank charges, up to \$100.00 per month, for that account can be claimed under the Constituency Allowance.
- **professional services such as bookkeeping and accounting.** This does not include occasional services provided by an individual if, based on the circumstances, the individual could be considered an employee of the Member.
- **constituency office insurance** premiums and deductible on an insurance claim.
- **standard office furniture, furnishings and office equipment as determined by LAMC.** This includes desks, computer tables, office and reception chairs, meeting table and chairs, filing cabinets, storage cabinets, cameras, computer and printers. It does not include custom built furniture. *See the Capital Property segment that follows this list of authorized office operation expenses for additional information.*

- **office equipment and furnishing rental expenses**, such as for rental of computers, photocopiers and water coolers.
- **support and maintenance of office equipment and software.**
- **communications equipment* including:**
 - cell phone under the Legislative Assembly cell phone plan,
 - Blackberry under the Legislative Assembly Blackberry plan,
 - cell phone signal booster for a location where the signal is weak,
 - conference call equipment,
 - hands-free phone equipment for a vehicle such as a Bluetooth device for use of a cell phone.

Arrangements for cell phones and Blackberries must be made through the Members' Allowances Office. These devices are property of the Legislative Assembly and must be returned to the Assembly when no longer in use or when ceasing to be a Member.

*The number of communications devices and related services listed above are limited to the:

- a) **Member** - one cell phone, one Blackberry, one installed car phone (must be permanently installed – e.g. OnStar).
 - b) **constituency office** - a telephone land line, a fax line and Internet service.
 - c) **constituency assistant (whose salary is paid out of the Constituency Assistants Allowance)** - either a cell phone or a Blackberry.
 - d) **Member's home** (only if necessary for constituency purposes - there is a requirement to monitor these expenses) - a telephone land line, a fax line and Internet service.
- **telephone services** including:
 - installation,
 - telephone rent,
 - directory listing,
 - answering service,
 - 800 service,
 - long distance,
 - charges related to the use of cell phones, Blackberries, PDAs or other mobile communication devices,

- automated calling services (telephone blasts) subject to content requirements for an advertisement or message.
- **Internet communication*** including expenses relating to:
 - developing and maintaining a home page,
 - blogging and social networking e.g. FaceBook, Twitter, etc.,
 - communicating with other persons using the Internet.

*Internet communication must not have any partisan statement but may have party name, colour and logo.
- **framing costs for the Oath of Office** (Member's Certificate), **photograph of the Members sitting in the Legislature, portrait of the Queen and constituency maps are considered to be office expenses.** Artwork and other framing costs are not authorized expenses and cannot be claimed.
- **photographs for advertising, Christmas calendar, letterhead, business cards, etc.**
- **incidental printing** for distribution to constituents. Incidental printing must be non-partisan and individual or smaller quantity printings. The only exception to the smaller quantity is for overage of non-partisan Printing Allowance expenses.
- **renting a meeting hall** for non-partisan meetings.
- **moving** expenses regarding the contents of the constituency office.
- **registration fees for conferences and courses for the Member.** Reimbursement for registration fees for out-of-province conferences or courses is **limited to the annual maximum** allowed for out-of-province travel. Please refer to the table entitled "*Allowance Entitlements for the Fiscal Year*" at the beginning of this Manual for the current maximum allowed for out-of-province travel. *Please contact the Members' Allowances Office to determine eligibility of the course or conference.*
- **travel expenses when a Member's Travel Allowance is depleted.** Authorized travel expenses are listed in Chapter 3, Travel Allowance.

Capital Property

Capital property consists of constituency office furniture, furnishings and equipment including computer equipment purchased as a single item or as a set at the capital threshold amount. Please refer to the table entitled "*Allowance Entitlements for the Fiscal Year*" at the beginning of this Manual for the current amount.

A capital inventory is maintained by the Members’ Allowances Office.

For each capital item, the inventory includes the purchase date, cost, location and description of the item. The description includes information such as the make, model and serial number of the item. Each capital item is assigned a numbered label which is sent to you to attach to the item. Each year a capital inventory report is provided to you, listing your assigned capital items. Periodic unannounced audits of capital property of all Members are conducted at least once every four years.

Capital property is the property of the Legislative Assembly. The *Members’ Allowances Regulation* provides that “No capital property may be disposed of without the approval of the Members’ Allowances Office”. LAMC has charged the Members’ Allowances Office with ensuring that hard drives are shredded to eliminate any possibility of confidential information being found on discarded Legislative Assembly property.

While a Member, if a capital item is broken, worn out, obsolete or otherwise unusable, contact the Members’ Allowances Office to discuss the disposal of the item.

On ceasing to be a Member, you must either leave capital items for the incoming Member or return them to the Members’ Allowances Office. The Members’ Allowances Office will make arrangements with you regarding the return, storage or disposal of your capital items. Returned capital items may be offered to other Members or disposed of through the usual government disposal process.

Capital Carry Over - Members can claim a capital expense over two fiscal years. This means that the portion of the expense not reimbursed to you in the fiscal year that you purchased the capital item, may be claimed in the next fiscal year subject to capital and allowance maximums in that fiscal year. A capital expense carried over to the next fiscal year cannot be carried over to any future fiscal years. Capital carry over requests should be submitted to the Members’ Allowances Office prior to May 15. This will ensure that Constituency Allowance expenses are accurately reflected in the Member’s Annual Report to be tabled by June 30.

New Members, in their first year, are entitled to an additional amount for capital items for initial office set up. Please refer to the table entitled “*Allowance Entitlements for the Fiscal Year*” at the beginning of this Manual for the current amount.

Legislative Assembly Capital Property Insurance Program -

Legislative Assembly capital items are covered under the Legislative Assembly Capital Property Insurance Program. If a loss or theft occurs, report the incident to the Members' Allowances Office. Cell phones and Blackberries are not capital items and are not covered under this insurance program.

3) Representation Expenses

The following are authorized **representation expenses** up to 15% of the maximum annual amount of the Constituency Allowance entitlement for a Winnipeg Member. Please refer to the table entitled "*Allowance Entitlements for the Fiscal Year*" at the beginning of this Manual for the current limit.

A. For the purpose of providing non-partisan access and service to your constituents:

- **a greeting card, certificate including frame, plaque, flag, fruit basket, wreath or flowers given to a constituent or to an organization to mark a special occasion**, including poinsettias given at Christmas. Each item is limited to \$150.00 including taxes.
- **meals, excluding alcohol and gratuity/tips, in connection with a meeting on constituency business** (e.g. meeting with reeve and councillors).
- **food and non-alcoholic beverages, and related products** for serving the food and beverages, for a Member's own constituency community event that is organized and hosted by the Member, such as an open house or a constituency barbeque. This event cannot be in conjunction with an event or meeting of another organization. Expenses for entertainment or guest speakers are not allowable expenses.
- **a bursary or scholarship**, paid directly to a school or school division.
- **a book donated to a school or to a non-profit or charitable organization**, e.g. I Love to Read Month.
- **souvenir items** such as lapel pins, pens, magnets and other items typically regarded as souvenir items up to \$30.00, including taxes, per item, for distribution to constituents.
- **a ticket, for the Member, to a community, non-profit or charitable event***. It is not required that the Member attend but the ticket may not be used by anyone else.

- **a ticket, for the Member’s CA, EA, researcher or intern, to attend a community, non-profit or charitable event***. It is not required that the Member also attend.
*event – does not include a sporting event, golf or other sporting tournament, a social, or a service club meeting (unless the meeting is open to the general public).
- **parade expenses in connection with participation in a parade** such as a parade entry fee, candy costs, hats or decorations but not the expense of renting a vehicle (car, truck, tractor, trailer, float, etc.).

B. A Member can claim the expense of **meals**, excluding alcohol and gratuity/tips, for the Member or for other persons **at a business meeting** attended by the Member in his or her Legislative Assembly role (e.g. caucus meeting, critic role).

Sponsorship

Sponsorship is not an authorized expense in any of the expense categories.

4) Staff Salaries

Constituency Assistants’ salaries are eligible expenses under a **Member’s Constituency Assistants Allowance and Constituency Allowance**. Constituency Assistants’ salary expenses are applied first to the Constituency Assistants Allowance which has a bi-weekly salary expense maximum and then to the Constituency Allowance. Benefit expenses for Constituency Assistants are covered by the Constituency Assistants Allowance.

See Chapter 2 - Constituency Assistants Allowance for information on authorized Staff Salary expenses claimable under the Constituency Assistants Allowance and the Constituency Allowance.

How to Claim

Year End Cut-off of Members’ Claims

Claims for all expenses incurred in a fiscal year must be submitted by June 30 following the fiscal year just ended.

Types of Payment of Expenses

1. Reimbursement of expenses.

You will need to provide proof of payment and any required supporting documentation. You may claim multiple expenses on one claim form. You should submit these claims on a regular basis as you are paying for these expenses “out of pocket”. You may be using your personal funds, a credit card or a line of credit and will need to repay these sources of funds.

2. Direct payment to a third party.

If a **constituency expense exceeds \$100.00**, you may request that it be paid directly to the person or vendor to whom it is owed. You will need to provide an original invoice, contract or other document evidencing the expense owed and any required supporting documentation. Each direct payment request must be submitted on a separate claim form.

Rent for constituency office space must be paid directly in accordance with the *Members’ Allowances Regulation*. To allow for direct payment of constituency office rent to the landlord, **12 Constituency Allowance claim forms are sent to Members on an annual basis, for their signature and return to the Members’ Allowances Office.** *Constituency office leases must be filed with the Members’ Allowances Office.*

Staff salaries must be paid directly in accordance with the *Members’ Allowances Regulation*. A claim for staff salaries must be made on the Attendance Form for Constituency Assistants. Please see Chapter 2 - Constituency Assistants Allowance for information on constituency staff salaries claimable under the Constituency Assistants Allowance and the Constituency Allowance.

3. Prepayment of expenses.

Expenses that are normally prepaid such as the last month’s rent in a lease, insurance and subscriptions may be claimed at the time payment is due. If for any reason the prepaid expense becomes an ineligible expense (because you cease to be a Member, for example), any balance of the prepaid expense becomes a debt to the Province.

4. Expenses reimbursed from another source.

Expenses reimbursed from another source, including another allowance, are not claimable under the Constituency Allowance.

It is recommended that you maintain a diary of expenses showing whether you were acting on constituency business or Legislative Assembly business, or acting in another capacity, such as Minister, Opposition Leader, Legislative Assistant, etc. This will assist you in determining if any portion of an expense is reimbursable or payable from another source, including another allowance.

5. Federal and provincial tax.

Members are not exempt from federal or provincial taxes.

Constituency Allowance Claim Form and Supporting Documentation

Constituency Allowance Claim Form

A claim for any constituency expense other than staff salaries must be made on the Constituency Allowance claim form. The claim form must include a **statement of the intended purpose** of the expense. The claim form must be accompanied by **proof of payment** and any **additional supporting documentation** that is required. You must sign the claim form. Keep a copy for your records. Submit the original signed claim form with the information described below to the Members' Allowances Office in Room 9B, Legislative Building.

Please contact the Members' Allowances Office if you require a copy of the electronic claim form.

A claim for any travel expense that is being claimed under the Constituency Allowance, when the Member's Travel Allowance is depleted, must be made on the Travel Allowance claim form. Please refer to Chapter 3 – Travel Allowance for information on allowable expenses and claiming procedures.

Statement of Intended Purpose

The Constituency Allowance claim form provides space for the Member to provide the name of the vendor and a description/purpose for each expense. Some examples are:

- Staples – office supplies
- ABC Publishers – advertising
- XYZ Trust – banking charges
- MTS – office Internet

Proof of Payment

Unless no receipt can be provided, **proof of payment** is always:

- the **original receipt** showing payment of the expense

If no receipt can be provided, then proof of payment can be:

- a copy of a bank statement or bank statement excerpt that identifies the expense and the payee.
- an image of the cancelled cheque that was provided as payment for the expense.
- an invoice for the expense marked “paid” by the supplier.
- for an event ticket, the original event ticket showing the date of the event and the cost of the ticket.

If payment is to be made directly to a third party, rather than reimbursement to a Member:

- instead of proof of payment, the Member must provide an original invoice, contract or other document evidencing the expense owed.

Additional Supporting Documentation

Claims for certain allowable expenses under the Constituency Allowance require additional supporting documentation. The expenses and the additional supporting documentation are:

advertising, whether by signage or by a message that is printed on paper or posted on the Internet or broadcast on radio or television or spoken using an automated calling service - *a copy of the advertising must accompany the claim including an audio copy for an automated calling service (phone blast).*

bank charges including monthly or annual service fees, overdraft charges and cheque fees - *a copy of the monthly bank statement and a copy or image of each cancelled cheque, indicated on the statement, must accompany the claim.*

book donated to a school or to a non-profit or charitable organization, e.g. I Love to Read Month - *the recipient must be named and the recipient’s status (school or non-profit) must be identified on the face of the claim form.*

bursary or scholarship, paid directly to a school or school division - *a receipt is required from the school or school division for same.*

business cards, letterhead, envelopes and other similar material – *a copy of the stationery must accompany the claim.*

food and non-alcoholic beverages, and related products for serving the food and beverages, for a Member's own constituency community event that is organized and hosted by the Member, such as an open house or a constituency barbeque - *the purpose of the event must be identified on the face of the claim form.*

greeting card, certificate including frame, plaque, flag, fruit basket, wreath or flowers including poinsettias given to a constituent or to an organization to mark a special occasion - *the name of the recipient of any of these items, except a card, must be identified on the face of the claim form.*

incidental printing for distribution to constituents - *a copy of the printed material must accompany the claim.*

meals, excluding alcohol and gratuity/tips, for the Member or for other persons **at a business meeting** attended by the Member in his or her Legislative Assembly role (e.g. caucus meeting, critic role) - *the date, location (city, town or village), name of the restaurant and purpose of the meeting must be identified on the face of the claim form. The names of persons attending the meeting to whom meals were provided must be provided either on the face of the claim form or on a separate page from the claim face.*

meals in connection with a meeting on constituency business (e.g. meeting with reeve and councillors) - *the date, location (city, town or village), name of the restaurant and purpose of the meeting must be identified on the face of the claim form. The names of persons attending the meeting to whom meals were provided must be provided either on the face of the claim form or on a separate page from the claim face.*

non-partisan signs for the constituency office - *the wording of the sign must be indicated on the receipt when claiming the production of a non-partisan sign.*

office furniture, furnishings and office equipment - *information such as the make, model and serial number of the item is required on the receipt that is provided when the item is claimed. The location of the item is also required.*

rent for constituency office space - *constituency office leases must be filed with the Members' Allowances Office.*

telephone services (listed under Office Operation expenses). *Claims for telephone or mobile communication device (cell phone, Blackberry) services must include the entire invoice (including the detail call information and detail on all charges.) The call detail is not subject to release to the public (see Reporting and Disclosure Chapter of this Manual) but will be subject to audit.*

ticket, for the Member, to attend a community, non-profit or charitable event. *The receipt should indicate that the ticket is for the Member.*

ticket, for the Member's CA, EA, researcher or intern, to attend a community, non-profit or charitable event. *The name of the person attending with or on behalf of the Member on constituency business is required on the receipt.*

Appeal

Members are entitled to appeal any decision made under the *Members' Allowances Regulation* to a person appointed by LAMC and that person's decision is final. The appeal must be in writing and must present the argument of the Member. Please contact the Members' Allowances Office for information on the appeal process.

Conflict of Interest Qualification

Any constituency expense is **not** an eligible expense for reimbursement if there is a direct financial interest or ownership in the business providing the service for **you or your spouse or common-law partner, or a relative of yours or of your spouse or common-law partner, or another Member, another Member's spouse or common-law partner, or a relative of any of the above-named persons**, and it is reasonable that you know or should have known of the existence of the direct financial interest/ownership.

Please refer to the **Definitions section** of this Manual for a complete description of the Conflict of Interest Qualification and definitions of common-law partner and relative. A diagram of the relationships indicated above is provided as **Schedule 4 - Diagram of Relationships defined by "Relative"** in the **Schedules section** of this Manual.

Reporting and Disclosure

The **Reporting and Disclosure section** of this Manual provides information on reports relating to Members' Allowances such as Month End Reports and Members' Annual Reports for tabling, and public disclosure of information requirements including Legislative Assembly website publications.

Effects of Dissolution on the Constituency Allowance

The **Effects of Dissolution section** of this Manual provides information on the effects of dissolution on the Constituency Allowance.

Definitions

The following terms are defined in the Definitions section of this Manual:

“authorized expense”
“capital property”
“common-law partner”
“direct financial interest”
“LAMC”
“non-partisan”
“relative”
“Winnipeg, Southern and Northern Members”

Listing of Schedules

Please refer to the **Schedules section** of this Manual for a listing and copies of all Schedules noted in the Constituency Allowance Chapter.

