



# Parliamentary Standards Act 2009

## 2009 CHAPTER 13

### *Introductory*

#### **1 Bill of Rights**

Nothing in this Act shall be construed by any court in the United Kingdom as affecting Article IX of the Bill of Rights 1689.

#### **2 House of Lords**

(1) Nothing in this Act shall affect the House of Lords.

(2) But that is subject to—

- <sup>F1</sup>(a) .....
- (b) paragraphs 5(3) and (4), 16(2), 22(1), 24(2)(b) and 25(1) of Schedule 1, and
- (c) [<sup>F2</sup>paragraph 8(2)] of Schedule 2.

#### **Textual Amendments**

**F1** S. 2(2)(a) omitted (7.5.2010) by virtue of [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), s. 52, [Sch. 5 para. 2\(a\)](#); S.I. 2010/1277, art. 3(i)(i)

**F2** Words in s. 2(2)(c) substituted (19.4.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), s. 52, [Sch. 5 para. 2\(b\)](#); S.I. 2010/1277, art. 2(d)(ii)

### *Independent Parliamentary Standards Authority etc*

#### **3 Independent Parliamentary Standards Authority etc**

(1) There is to be a body corporate known as the Independent Parliamentary Standards Authority (“IPSA”).

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*Changes to legislation: There are currently no known outstanding effects for the Parliamentary Standards Act 2009. (See end of Document for details)*

- (2) Schedule 1 (which makes provision about the IPSA, and in particular provides for its administration functions to be carried out by its chief executive in accordance with paragraph 17 of that Schedule) has effect.
- [<sup>F3</sup>(3) There is to be an officer known as the Compliance Officer for the Independent Parliamentary Standards Authority (“the Compliance Officer”).
- (4) Schedule 2 (which makes provision about the Compliance Officer) has effect.]
- (5) There is to be a committee known as the Speaker's Committee for the Independent Parliamentary Standards Authority (“the Committee”).
- (6) Schedule 3 (which makes provision about the Committee) has effect.

#### Textual Amendments

**F3** S. 3(3)(4) substituted (19.4.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\), ss. 26\(1\), 52; S.I. 2010/1277, art. 2\(a\)](#)

#### Modifications etc. (not altering text)

**C1** For expiry of s. 3(3)(4) see s. 15

#### Commencement Information

**I1** S. 3 partly in force; s. 3 not in force at Royal Assent see s. 14(3); s. 3(1)(2) in force at 12.10.2009 by [S.I. 2009/2500, art. 2](#); s. 3(5)(6) in force at 26.10.2009 by [S.I. 2009/2612, art. 2](#)

### [<sup>F4</sup>3A General duties of the IPSA

- (1) In carrying out its functions the IPSA must have regard to the principle that it should act in a way which is efficient, cost-effective and transparent.
- (2) In carrying out its functions the IPSA must have regard to the principle that members of the House of Commons should be supported in efficiently, cost-effectively and transparently carrying out their Parliamentary functions.]

#### Textual Amendments

**F4** S. 3A inserted (7.5.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\), ss. 28\(2\), 52; S.I. 2010/1277, art. 3\(b\)](#)

### *Salaries and allowances for MPs*

### [<sup>F5</sup>4 MPs' salaries

- (1) Members of the House of Commons are to receive a salary for the relevant period.
- (2) The salaries are to be paid by the IPSA.
- (3) Salaries are to be paid on a monthly basis in arrears.
- (4) The amounts of the salaries are to be determined by the IPSA (see section 4A).

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- (5) “Relevant period”, in relation to a person who is a member of the House of Commons, means the period beginning with the day after the day of the poll for the parliamentary election at which the member was elected and ending with—
  - (a) if the person is a member immediately before Parliament is dissolved, the day of the poll for the parliamentary general election which follows the dissolution;
  - (b) otherwise, the day on which the person ceases to be a member.
- (6) No payment of salary is to be made to a member before the member has made and subscribed the oath required by the Parliamentary Oaths Act 1866 (or the corresponding affirmation).
- (7) The duty of the IPSA to pay a salary to a member is subject to anything done in relation to the member in the exercise of the disciplinary powers of the House of Commons.

#### Textual Amendments

- F5** S. 4, 4A substituted for s. 4 (24.5.2011) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), [ss. 29, 52](#); [S.I. 2011/1274](#), [art. 2\(a\)](#)

#### Commencement Information

- I2** S. 4 in force at 7.5.2010 by [S.I. 2010/1033](#), [art. 3\(a\)](#)

## 4A Determination of MPs' salaries

- (1) This section is about determinations under section 4(4).
- (2) A determination may provide for higher salaries to be payable to members while holding an office or position specified for the purposes of this subsection in a resolution of the House of Commons.
- (3) A determination by virtue of subsection (2) may make different provision for different offices or positions or different classes of member (and may include exceptions).
- (4) A determination may include a formula or other mechanism for adjusting salaries from time to time.
- (5) A determination (other than the first determination) may have retrospective effect.
- (6) The IPSA must review the current determination (and make a new determination as appropriate)—
  - (a) in the first year of each Parliament;
  - (b) at any other time it considers appropriate.
- (7) In reviewing a determination (and before making the first determination) the IPSA must consult—
  - (a) the Review Body on Senior Salaries,
  - (b) persons appearing to the IPSA to represent persons likely to be affected by the determination or the review,
  - (c) the Minister for the Civil Service,
  - (d) the Treasury, and
  - (e) any other person the IPSA considers appropriate.

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- (8) After making a determination, the IPSA must publish in a way it considers appropriate—
  - (a) the determination, and
  - (b) a statement of how it arrived at the determination.
- (9) If the IPSA reviews the current determination but decides not to make a new determination, it must publish in a way it considers appropriate a statement of how it arrived at that decision.
- (10) The IPSA may delegate to the Review Body on Senior Salaries its function of reviewing a determination (but not its function of deciding whether or not to make a new determination).]

#### Textual Amendments

- F5** S. 4, 4A substituted for s. 4 (24.5.2011) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), ss. 29, 52; S.I. 2011/1274, art. 2(a)

## 5 MPs' allowances scheme

- (1) The IPSA is to pay allowances to members of the House of Commons in accordance with the MPs' allowances scheme.
- (2) In this Act “the MPs' allowances scheme” means the scheme prepared under this section as it is in effect for the time being.
- (3) The IPSA must—
  - (a) prepare the scheme;
  - (b) review the scheme regularly and revise it as appropriate.
- (4) In preparing or revising the scheme, the IPSA must consult—
  - (a) the Speaker of the House of Commons,
  - (b) the Committee on Standards in Public Life,
  - (c) the Leader of the House of Commons,
  - (d) any committee of the House of Commons nominated by the Speaker,
  - (e) members of the House of Commons,
  - (f) the Review Body on Senior Salaries,
  - (g) Her Majesty's Revenue and Customs,
  - (h) the Treasury, and
  - (i) any other person the IPSA considers appropriate.
- (5) The Speaker must lay the scheme (or revision) before the House of Commons.
- [<sup>F6</sup>(5A) When the scheme (or revision) is laid, the IPSA must publish in a way it considers appropriate—
  - (a) the scheme (or revision), and
  - (b) a statement of its reasons for adopting that scheme (or making that revision).]
- (6) The scheme (or revision) comes into effect on the date specified in the scheme (or revision).
- (7) The scheme may, for example—

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- (a) provide for allowances to be payable in respect of specified kinds of expenditure or in specified circumstances;
  - (b) provide for allowances to be payable only on specified conditions (such as a condition that claims for allowances must be supported by documentary evidence);
  - (c) impose limits on the amounts that may be paid.
- (8) The scheme may provide for allowances to be payable in connection with a person's ceasing to be a member of the House of Commons; [<sup>F7</sup>and in relation to any such allowances, references in this Act to a member of the House of Commons include a former member of that House. ]
- [<sup>F8</sup>(8A) Any duty of the IPSA to pay an allowance to a member is subject to anything done in relation to the member in the exercise of the disciplinary powers of the House of Commons.]
- (9) This section does not affect the provision of pensions for or in respect of persons with service as a member of the House of Commons (see [<sup>F9</sup>Schedule 6 to the Constitutional Reform and Governance Act 2010] ).
- (10) In section 3A(1) of the European Parliament (Pay and Pensions) Act 1979 (c. 50) (power to make order aligning MEPs' resettlement grants with MPs' resettlement grants), after “resolutions of the House of Commons” insert “ , or a scheme under section 5 of the Parliamentary Standards Act 2009, ”.

#### Textual Amendments

- F6** S. 5(5A) inserted (7.5.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), **ss. 28(3)**, 52; [S.I. 2010/1277](#), art. 3(b)
- F7** Words in s. 5(8) substituted (7.5.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), s. 52, **Sch. 5 para. 3**; [S.I. 2010/1277](#), art. 3(i)(ii)
- F8** S. 5(8A) inserted (7.5.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), **ss. 30**, 52; [S.I. 2010/1277](#), art. 3(c)
- F9** Words in s. 5(9) substituted (24.10.2011) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), s. 52, **Sch. 6 para. 47(1)**; [S.I. 2011/2485](#), art. 2(1)(2)(c)(iii)

#### Commencement Information

- I3** S. 5 in force at 29.3.2010 by [S.I. 2010/1033](#), **art. 2(a)**

## 6 Dealing with claims under the scheme

- (1) No allowance is to be paid to a member of the House of Commons under the MPs' allowances scheme unless a claim for the allowance has been made to the IPSA.
- (2) The claim must be made by the member (except where the scheme provides otherwise).
- (3) On receipt of a claim, the IPSA must—
  - (a) determine whether to allow or refuse the claim, and
  - (b) if it is allowed, determine how much of the amount claimed is to be allowed and pay it accordingly.

<sup>F10</sup>(4) .....

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<sup>F10</sup>(5) .....

(6) The MPs' allowances scheme may include—

- (a) further provision about how claims are to be dealt with;
- <sup>F11</sup>(b) provision for deducting amounts within subsection (6A) from allowances payable under the scheme or salaries payable under section 4;
- (c) provision about how such deductions, and deductions under paragraph 5 or 12 of Schedule 4, are to be made.]

<sup>F12</sup>(6A) This subsection applies to amounts which a member (under section 9(8) or otherwise) has agreed to repay, in respect of amounts paid to the member under the MPs' allowances scheme that should not have been allowed.]

(7) The scheme may provide for an allowance to which a member is entitled under the scheme to be paid to another person at the member's direction; and references in this Act to the payment of an allowance to a member are to be read accordingly.

<sup>F13</sup>(8) The IPSA must publish such information as it considers appropriate in respect of—

- (a) each claim made under or by virtue of this section, and
- (b) each payment of an allowance by the IPSA under or by virtue of this section.

(9) The IPSA must publish the information at times it considers appropriate and in a way it considers appropriate.

(10) The IPSA must determine procedures to be followed by the IPSA in relation to publication of the information, and in doing so must consult—

- (a) the Speaker of the House of Commons,
- (b) the Leader of the House of Commons,
- (c) the House of Commons Committee on Standards and Privileges,
- (d) the Compliance Officer, and
- (e) any other person the IPSA considers appropriate.]

#### Textual Amendments

**F10** S. 6(4)(5) omitted (27.7.2010) by virtue of [Constitutional Reform and Governance Act 2010 \(c. 25\), ss. 31\(2\), 52; S.I. 2010/1931, art. 3\(b\)](#)

**F11** S. 6(6)(b)(c) substituted for s. 6(6)(b) (27.7.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\), ss. 31\(3\), 52; S.I. 2010/1931, art. 3\(b\)](#)

**F12** S. 6(6A) inserted (27.7.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\), ss. 31\(4\), 52; S.I. 2010/1931, art. 3\(b\)](#)

**F13** S. 6(8)-(10) inserted (27.7.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\), ss. 28\(4\), 52; S.I. 2010/1931, art. 3\(a\)](#) (with arts. 4, 5)

#### Commencement Information

**I4** S. 6 in force at 29.3.2010 by [S.I. 2010/1033, art. 2\(b\)](#)

#### <sup>F14</sup>6A Review of IPSA's determination

(1) This section applies if—

- (a) the IPSA determines under section 6(3) that a claim is to be refused or that only part of the amount claimed is to be allowed, and

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- (b) the member (after asking the IPSA to reconsider the determination and giving it a reasonable opportunity to do so) asks the Compliance Officer to review the determination (or any altered determination resulting from the IPSA's reconsideration).
- (2) The Compliance Officer must—
  - (a) consider whether the determination (or the altered determination) is the determination that should have been made, and
  - (b) in light of that consideration, decide whether or not to confirm or alter it.
- (3) The Compliance Officer must give the IPSA a statement of any decision under subsection (2)(b), and may include a statement of the Compliance Officer's findings about the way in which the IPSA has dealt with the claim.
- (4) The IPSA must make any payments or adjustments necessary to give effect to the Compliance Officer's decision; but it must not do so until—
  - (a) it is no longer possible for there to be a relevant appeal, and
  - (b) all relevant appeals have been withdrawn or determined.
- (5) A relevant appeal is—
  - (a) an appeal under subsection (6) brought before the end of the period mentioned in subsection (7), or
  - (b) a further appeal in relation to the Compliance Officer's decision which—
    - (i) is brought before the end of the usual period for bringing such an appeal, and
    - (ii) is an appeal against the determination of an appeal which was itself a relevant appeal.
- (6) The member may appeal to the First-tier Tribunal against a decision of the Compliance Officer under subsection (2)(b).
- (7) The appeal must be brought before the end of the period of 28 days beginning with the day on which notice of the decision is sent to the member (unless the Tribunal directs that it may be brought after the end of that period).
- (8) The appeal is by way of a rehearing.
- (9) On an appeal under subsection (6) the Tribunal may—
  - (a) allow the appeal in whole or in part, or
  - (b) dismiss the appeal.
- (10) If the Tribunal allows the appeal (in whole or in part) it may—
  - (a) order the IPSA to make any payments or adjustments necessary to give effect to that decision;
  - (b) make any other order it thinks fit.
- (11) If the Tribunal dismisses the appeal it may make any other order it thinks fit.
- (12) The Compliance Officer must notify the IPSA of the Tribunal's decision (and the result of any further appeal).]

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#### Textual Amendments

- F14** S. 6A inserted (27.7.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\), ss. 31\(5\), 52; S.I. 2010/1931, art. 3\(b\)](#)

## 7 Information and guidance <sup>F15</sup>...

[<sup>F16</sup>(A1) The IPSA must—

- (a) prepare guidance for members of the House of Commons about making claims under the MPs' allowances scheme;
- (b) review the guidance regularly and revise it as appropriate;
- (c) publish the guidance in a way the IPSA considers appropriate;
- (d) provide to any member on request such further advice about making claims as the IPSA considers appropriate.]

(1) The IPSA must provide to members of the House of Commons—

- (a) details of any general information or guidance about taxation issues published by HMRC that it considers they should be aware of, and
- (b) any other general information or guidance about taxation issues that it considers appropriate (consulting HMRC for this purpose as it considers appropriate).

(2) “Taxation issues” means—

- (a) issues about the taxation of salaries payable under section 4 and allowances payable under the MPs' allowances scheme, and
- (b) any other issues about taxation arising in connection with those salaries and allowances.

(3) “HMRC” means Her Majesty's Revenue and Customs.

#### Textual Amendments

- F15** Words in heading omitted (7.5.2010) by virtue of [Constitutional Reform and Governance Act 2010 \(c. 25\), ss. 31\(6\)\(b\), 52; S.I. 2010/1277, art. 3\(d\)](#)

- F16** S. 7(A1) inserted (7.5.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\), ss. 31\(6\)\(a\), 52; S.I. 2010/1277, art. 3\(d\)](#)

#### Commencement Information

- I5** S. 7 in force at 7.5.2010 by [S.I. 2010/1278, art. 2](#)

PROSPECTIVE

*F17* ...

#### Textual Amendments

- F17** S. 8 cross-heading omitted (7.5.2010) by virtue of [Constitutional Reform and Governance Act 2010 \(c. 25\), ss. 32, 52; S.I. 2010/1277, art. 3\(e\)](#)



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## **F18**    **MPs' code of conduct relating to financial interests**

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### **Textual Amendments**

**F18** S. 8 omitted (7.5.2010) by virtue of [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), **ss. 32, 52**; [S.I. 2010/1277](#), art. 3(e)

### **Modifications etc. (not altering text)**

**C2** For expiry of s. 8 see s. 15

### *Investigation and enforcement*

PROSPECTIVE

## **[F19]**    **Investigations**

- (1) The Compliance Officer may conduct an investigation if the Compliance Officer has reason to believe that a member of the House of Commons may have been paid an amount under the MPs' allowances scheme that should not have been allowed.
- (2) An investigation may be conducted—
  - (a) on the Compliance Officer's own initiative,
  - (b) at the request of the IPSA,
  - (c) at the request of the member, or
  - (d) in response to a complaint by an individual.
- (3) For the purposes of the investigation the member and the IPSA—
  - (a) must provide the Compliance Officer with any information (including documents) the Compliance Officer reasonably requires, and
  - (b) must do so within such period as the Compliance Officer reasonably requires.
- (4) The Compliance Officer must, after giving the member and the IPSA an opportunity to make representations to the Compliance Officer, prepare a statement of the Compliance Officer's provisional findings.
- (5) The Compliance Officer must, after giving the member and the IPSA an opportunity to make representations to the Compliance Officer about the provisional findings, prepare a statement of the Compliance Officer's findings (subject to subsection (7)).
- (6) Provisional findings under subsection (4) and findings under subsection (5) may include—
  - (a) a finding that the member failed to comply with subsection (3),
  - (b) findings about the role of the IPSA in the matters under investigation, including findings that the member's being paid an amount under the MPs' allowances scheme that should not have been allowed was wholly or partly the IPSA's fault.

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- (7) If subsection (8) applies, the Compliance Officer need not make a finding under subsection (5) as to whether the member was paid an amount under the MPs' allowances scheme that should not have been allowed.
- (8) This subsection applies if—
- (a) the member accepts a provisional finding that the member was paid an amount under the MPs' allowances scheme that should not have been allowed,
  - (b) such other conditions as may be specified by the IPSA are, in the Compliance Officer's view, met in relation to the case, and
  - (c) the member agrees to repay to the IPSA, in such manner and within such period as the Compliance Officer considers reasonable, such amount as the Compliance Officer considers reasonable (and makes the repayment accordingly).
- (9) Before specifying conditions under subsection (8)(b) the IPSA must consult the persons listed in section 9A(6).
- (10) References in this section (and section 9A) to a member of the House of Commons include a former member of that House.]

#### Textual Amendments

**F19** Ss. 9, 9A substituted for s. 9 (27.7.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), ss. 33, 52; S.I. 2010/1931, art. 3(c) (with arts. 4, 5)

#### Modifications etc. (not altering text)

**C3** For expiry of s. 9 see s. 15

PROSPECTIVE

#### [<sup>F19</sup>9A Procedures etc

- (1) The IPSA must determine procedures to be followed by the Compliance Officer in relation to investigations under section 9.
- (2) The procedures must in particular include provision about—
  - (a) complaints under section 9(2)(d),
  - (b) representations under section 9(4),
  - (c) representations under section 9(5), and
  - (d) the circumstances in which the Compliance Officer must publish the documents listed in subsection (4).
- (3) Provision under subsection (2)(b) must include provision giving the member who is the subject of the investigation—
  - (a) an opportunity to be heard in person, and
  - (b) an opportunity, where the Compliance Officer considers it appropriate, to call and examine witnesses.
- (4) The documents referred to in subsection (2)(d) are—
  - (a) statements of provisional findings under section 9(4),

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- (b) statements of findings under section 9(5), and
  - (c) agreements under section 9(8).
- (5) The IPSA must also determine procedures to be followed by the Compliance Officer as to the circumstances in which the Compliance Officer must publish—
- (a) statements under section 6A(3), and
  - (b) penalty notices under paragraph 6 of Schedule 4.
- (6) Procedures under this section must be fair, and before determining procedures the IPSA must consult—
- (a) the Speaker of the House of Commons,
  - (b) the Leader of the House of Commons,
  - (c) the House of Commons Committee on Standards and Privileges,
  - (d) the Compliance Officer, and
  - (e) any other person the IPSA considers appropriate.]

#### Textual Amendments

**F19** Ss. 9, 9A substituted for s. 9 (27.7.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), ss. 33, 52; [S.I. 2010/1931](#), art. 3(c) (with arts. 4, 5)

### [<sup>F20</sup>9B Enforcement

- (1) Schedule 4 (which makes provision about the enforcement powers of the Compliance Officer) has effect.
- (2) The Compliance Officer may provide to the Parliamentary Commissioner for Standards any information connected with an investigation under section 9 or action taken under Schedule 4 which the Compliance Officer considers may be relevant to the work of the Parliamentary Commissioner for Standards.]

#### Textual Amendments

**F20** S. 9B inserted (27.7.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), ss. 34(1), 52; [S.I. 2010/1931](#), art. 3(d) (with arts. 4, 5)

## 10 Offence of providing false or misleading information for allowances claims

- (1) A member of the House of Commons commits an offence if the member—
  - (a) makes a claim under the MPs' allowances scheme, and
  - (b) provides information for the purposes of the claim that the member knows to be false or misleading in a material respect.
- (2) A person guilty of an offence under subsection (1) is liable—
  - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum or to both;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding 12 months or to a fine or to both.

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- [<sup>F21</sup>(2A) In the application of this section in England and Wales, the reference in subsection (2) (a) to 12 months is to be read as a reference to the general limit in a magistrates' court (or to 6 months in relation to an offence committed before 2 May 2022).]
- (3) In the application of this section—
- <sup>F22</sup>(a) . . . . .
- (b) in Northern Ireland,
- the reference in subsection (2)(a) to 12 months is to be read as a reference to 6 months.

#### Textual Amendments

**F21** S. 10(2A) inserted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates' Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), **21(2)**

**F22** S. 10(3)(a) omitted (7.2.2023 at 12.00 p.m.) by virtue of The Judicial Review and Courts Act 2022 (Magistrates' Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), **21(3)**

#### Modifications etc. (not altering text)

**C4** For expiry of s. 10 see s. 15

#### Commencement Information

**I6** S. 10 in force at 7.5.2010 by S.I. 2010/1033, art. 3(b)

### [<sup>F23</sup>10A Relationships with other bodies etc

- (1) The IPSA and the Compliance Officer must prepare a joint statement setting out how the IPSA and the Compliance Officer will work with the following—
  - (a) the Parliamentary Commissioner for Standards,
  - (b) the Director of Public Prosecutions,
  - (c) the Commissioner of Police of the Metropolis, and
  - (d) any other person the IPSA and the Compliance Officer consider appropriate.
- (2) Before preparing the statement the IPSA and the Compliance Officer must consult the persons listed in subsection (1).
- (3) Nothing in sections 9 to 9B (or Schedule 4) affects the disciplinary powers of the House of Commons.
- (4) The powers conferred by sections 9 to 9B (and Schedule 4) may be exercised in relation to the conduct of a member of the House of Commons even if—
  - (a) the member is or has been the subject of criminal proceedings in relation to that conduct (whether or not convicted of an offence);
  - (b) the House of Commons is exercising or has exercised any of its disciplinary powers in relation to that conduct.
- (5) References in subsection (4) to a member of the House of Commons include a former member of that House.]

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*Changes to legislation: There are currently no known outstanding effects for the Parliamentary Standards Act 2009. (See end of Document for details)*

### Textual Amendments

- F23** S. 10A inserted (27.7.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), ss. 35, 52; S.I. 2010/1931, art. 3(e)

### Final provisions

PROSPECTIVE

## **F24** 11 Further functions of the IPSA and Commissioner

### Textual Amendments

- F24** S. 11 omitted (7.5.2010) by virtue of [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), ss. 36, 52; S.I. 2010/1277, art. 3(f)

### Modifications etc. (not altering text)

- C5** For expiry of s. 11 see s. 15

## 12 Interpretation

### (1) In this Act—

“<sup>F25</sup>the Compliance Officer]” has the meaning given by section 3(3);

“IPSA” has the meaning given by section 3(1);

“the Leader of the House of Commons” means the Minister of the Crown who is for the time being designated as Leader of the House of Commons by the Prime Minister;

“Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975 (c. 26);

“the MPs' allowances scheme” has the meaning given by section 5(2);

<sup>F26</sup> ...

“specified” includes of a specified description.

### (2) In this Act any reference to a particular committee [<sup>F27</sup>or officer] of the House of Commons—

(a) if the name of the committee [<sup>F27</sup>or officer] is changed, is to be treated as a reference to the committee [<sup>F27</sup>or officer] by [<sup>F28</sup>the] new name, and

(b) if the functions of the committee [<sup>F27</sup>or officer] (or substantially corresponding functions) become functions of a different committee [<sup>F27</sup>or officer] of that House, is to be treated as a reference to the committee [<sup>F27</sup>or officer] by which those functions are exercisable.

### (3) In this Act any reference to the Committee on Standards in Public Life or to the Review Body on Senior Salaries—

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- (a) if the name of the body is changed, is to be treated as a reference to the body by its new name, and
  - (b) if the functions of the body (or substantially corresponding functions) become functions of a different body, is to be treated as a reference to the body by which those functions are exercisable.
- (4) Any question arising under subsection (2) or (3) is to be determined by the Speaker of the House of Commons.

#### Textual Amendments

- F25** Words in s. 12(1) substituted (19.4.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\), s. 52, Sch. 5 para. 4\(2\)\(a\)](#); S.I. 2010/1277, art. 2(d)(iii)
- F26** Words in s. 12(1) omitted (7.5.2010) by virtue of [Constitutional Reform and Governance Act 2010 \(c. 25\), s. 52, Sch. 5 para. 4\(2\)\(b\)](#); S.I. 2010/1277, art. 3(i)(iii)
- F27** Words in s. 12(2) inserted (27.7.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\), s. 52, Sch. 5 para. 4\(3\)\(a\)](#); S.I. 2010/1931, art. 3(h)(i)
- F28** Word in s. 12(2)(a) substituted (27.7.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\), s. 52, Sch. 5 para. 4\(3\)\(b\)](#); S.I. 2010/1931, art. 3(h)(i)

### 13 Power to make transitional etc provision

- (1) A Minister of the Crown may by order make supplementary, incidental, transitional, transitory or saving provision in connection with this Act.
- (2) An order under this section may provide—
- (a) that the House of Commons' rules about members' allowances have effect for specified purposes as if contained in a scheme under section 5,
  - <sup>F29</sup>(b) .....
  - <sup>F29</sup>(c) .....
- (3) The purposes which may be specified do not include the purposes of section 10 (offence of providing false or misleading information for allowances claims).
- (4) The order may provide for references in the rules to an officer or committee of the House of Commons to have effect as references to the [<sup>F30</sup>Compliance Officer] or the IPSA.
- (5) An order under this section may provide that payments of allowances made to a member of the House of Commons, to which the member was not entitled under the rules mentioned in subsection (2)(a), may be set off against other claims for allowances to be paid to that member.
- (6) An order under this section may provide—
- (a) for the employment of persons of a specified description who are employed in connection with matters dealt with by the rules to be transferred to the IPSA by a scheme,
  - (b) for specified property, rights and liabilities which subsist wholly or mainly for the purposes of the House of Commons to be transferred to the IPSA by a scheme, and

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- (c) for specified documents and information held by or on behalf of the House of Commons (or an officer or committee of that House) to be transferred to the [<sup>F31</sup>Compliance Officer] or the IPSA.
- (7) A scheme made by virtue of subsection (6) is to be made by a Minister of the Crown with the consent of the person who chairs the House of Commons Commission.
- (8) An order under this section is to be made by statutory instrument.
- (9) A statutory instrument containing an order under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of the House of Commons.
- (10) In this section—
  - “the rules” means the rules of the House of Commons mentioned in subsection (2),
  - “rules” includes resolutions, standing orders, codes, schemes and guidance.

**Textual Amendments**

- F29** S. 13(2)(b)(c) omitted (7.5.2010) by virtue of [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), s. 52, [Sch. 5 para. 5\(2\)](#); S.I. 2010/1277, art. 3(i)(iv)
- F30** Words in s. 13(4) substituted (19.4.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), s. 52, [Sch. 5 para. 5\(3\)](#); S.I. 2010/1277, art. 2(d)(iv)
- F31** Words in s. 13(6)(c) substituted (19.4.2010) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), s. 52, [Sch. 5 para. 5\(3\)](#); S.I. 2010/1277, art. 2(d)(iv)

**Modifications etc. (not altering text)**

- C6** S. 13(7) applied (24.10.2011) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), s. 52, [Sch. 6 para. 48\(3\)](#); S.I. 2011/2485, art. 2(1)(2)(c)(vi)

**14 Short title and commencement**

- (1) This Act may be cited as the Parliamentary Standards Act 2009.
- (2) The following provisions of this Act come into force on the day it is passed—
  - (a) section 12;
  - (b) section 13;
  - (c) this section;
  - <sup>F32</sup>(d) .....
- (3) The other provisions come into force on the day appointed by a Minister of the Crown by order made by statutory instrument; and different days may be appointed for different purposes.

**Subordinate Legislation Made**

- P1** S. 14(3) power partly exercised: 12.10.2009 appointed for specified provisions by [S.I. 2009/2500](#), art. 2
- P2** S. 14(3) power partly exercised: 26.10.2009 appointed for specified provisions by [S.I. 2009/2612](#), art. 2

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*Changes to legislation: There are currently no known outstanding effects for the Parliamentary Standards Act 2009. (See end of Document for details)*

**Textual Amendments**

**F32** S. 14(2)(d) omitted (7.5.2010) by virtue of [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), s. 52, [Sch. 5 para. 6](#); S.I. 2010/1277, art. 3(i)(v)

**<sup>F33</sup> 15 Expiry of provisions of the Act**

.....

**Textual Amendments**

**F33** S. 15 omitted (7.5.2010) by virtue of [Constitutional Reform and Governance Act 2010 \(c. 25\)](#), [ss. 37](#), 52; S.I. 2010/1277, art. 3(g)



**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Parliamentary Standards Act 2009.