



Parliamentary Standards Act 2009

2009 CHAPTER 13

Final provisions

11 Further functions of the IPSA and Commissioner

- (1) The Speaker, after consulting the Commissioner and the House of Commons Committee on Standards and Privileges, may agree with the IPSA that the IPSA is to carry out any registration function specified in the agreement (whether relating to a matter arising before or after the agreement is made or the date this Act is passed).
- (2) The IPSA is to carry out the registration function accordingly.
- (3) “Registration function” means a function—
 - (a) which is a function of the Parliamentary Commissioner for Standards on the date this Act is passed,
 - (b) which relates to registration, and
 - (c) which the IPSA could not carry out under any other provision of this Act.
- (4) The Speaker, after consulting the IPSA and the House of Commons Committee on Standards and Privileges, may agree with the Commissioner that the Commissioner is to carry out any relevant function specified in the agreement (whether relating to a matter arising before or after the agreement is made or the date this Act is passed).
- (5) The Commissioner is to carry out the relevant function accordingly.
- (6) “Relevant function” means a function—
 - (a) which is a function of the Parliamentary Commissioner for Standards on the date this Act is passed, and
 - (b) which the Commissioner could not carry out under any other provision of this Act.
- (7) The Speaker must lay an agreement under subsection (1) or (4) before the House of Commons.
- (8) The agreement does not come into effect until it is approved by a resolution of the House of Commons.

(9) In this section “the Speaker” means the Speaker of the House of Commons.

12 Interpretation

(1) In this Act—

“the Commissioner” 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);

“the MPs' code of conduct relating to financial interests” has the meaning given by section 8(2);

“specified” includes of a specified description.

(2) In this Act any reference to a particular committee of the House of Commons—

(a) if the name of the committee is changed, is to be treated as a reference to the committee by its new name, and

(b) if the functions of the committee (or substantially corresponding functions) become functions of a different committee of that House, is to be treated as a reference to the committee 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—

(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.

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,

(b) that its rules about the registration of members' interests have effect for specified purposes as if included by virtue of section 8(7) in the MPs' code of conduct relating to financial interests, and

(c) that its rules about the matters mentioned in section 8(8) have effect for specified purposes as if included by virtue of section 8(8) in the MPs' code of conduct relating to financial interests.

- (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 Commissioner 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
 - (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 Commissioner 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.

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;
 - (d) section 15.
- (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.

15 Expiry of provisions of the Act

- (1) The relevant provisions shall expire at the end of the period of two years starting with the day on which section 8 comes into force (“the effective period”).
- (2) The relevant provisions are sections 3(3) and (4) and 8 to 11 (and Schedule 2).
- (3) But a Minister of the Crown may by order extend, or (on one or more occasions) further extend, the effective period.
- (4) An order under subsection (3)—
 - (a) is to be made by statutory instrument,
 - (b) must be made before the time when the effective period would end but for the making of the order, and
 - (c) shall have the effect of extending, or further extending, that period for the period of two years beginning with that time.
- (5) A statutory instrument containing an order under subsection (3) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.