



# Parliamentary Standards Act 2009

## 2009 CHAPTER 13

### *Final provisions*

PROSPECTIVE

#### **<sup>F1</sup>11 Further functions of the IPSA and Commissioner**

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#### **Textual Amendments**

**F1** 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)**

**C1** For expiry of s. 11 see s. 15

## **12 Interpretation**

(1) In this Act—

“<sup>F2</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>F3</sup>  
...

“specified” includes of a specified description.

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

- (2) In this Act any reference to a particular committee [<sup>F4</sup>or officer] of the House of Commons—
  - (a) if the name of the committee [<sup>F4</sup>or officer] is changed, is to be treated as a reference to the committee [<sup>F4</sup>or officer] by [<sup>F5</sup>the] new name, and
  - (b) if the functions of the committee [<sup>F4</sup>or officer] (or substantially corresponding functions) become functions of a different committee [<sup>F4</sup>or officer] of that House, is to be treated as a reference to the committee [<sup>F4</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—
  - (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**

**F2** 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)

**F3** 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)

**F4** 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)

**F5** 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>F6</sup>(b) .....
  - <sup>F6</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>F7</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

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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 [<sup>F8</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

- F6** 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)
- F7** 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)
- F8** 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)

- C2** 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>F9</sup>(d) .....

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- (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.

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**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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**Textual Amendments**

- F9** 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>F10</sup>15 Expiry of provisions of the Act**

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**Textual Amendments**

- F10** [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)

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