



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Dissolution

Frequently Asked Questions

On the advice of the Prime Minister, the Governor General, by proclamation on Sunday, August 2, 2015, dissolved the 41st Parliament and gave instructions to issue writs of election. Monday, October 19, 2015, has been set as the polling day. For more information about dissolution, please consult the [Dissolution of Parliament](#) section of the [Compendium of House of Commons Procedure](#).

This document has been prepared to provide a high-level overview of the principal changes to policy and processes as a result of dissolution.

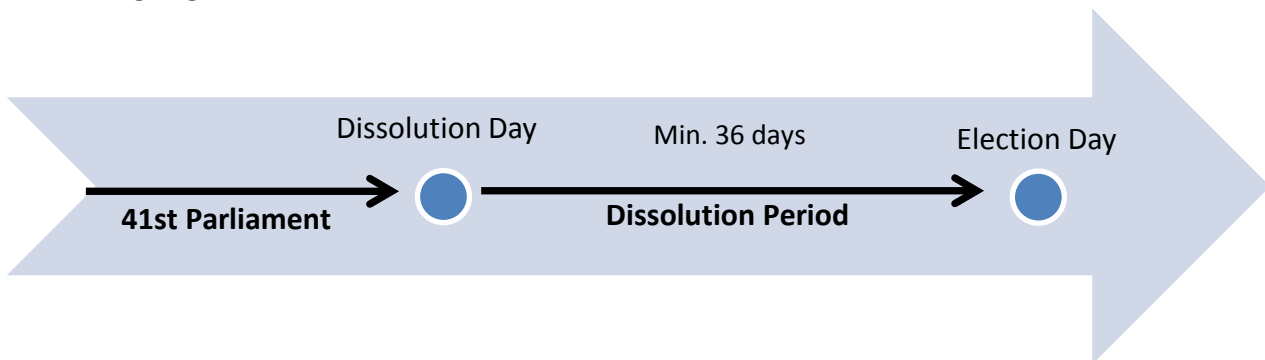
The [Members By-Law](#) and the [Dissolution of Parliament](#) chapter of the *Members' Allowances and Services Manual (MAS)* provide detailed information on the impacts of dissolution.

All information provided in this document is in effect at the time of publication.

A [summary table](#) is also available.

A. General

Timeline



1. What is the dissolution period?

For the purposes of applying the [Members By-law](#), the dissolution period starts at the beginning of the day Parliament is dissolved and finishes at the end of the day of the general election (Eastern Standard Time).

2. What is the legal status of Members during the dissolution period?

When Parliament is dissolved, every seat in the House of Commons becomes vacant. Those who were previously elected to the House of Commons are no longer Members and, with very limited exceptions, lose all of their parliamentary privileges. The individuals who are standing for re-election do not have the status of “Member of Parliament” during the dissolution period; rather they are “candidates” who are governed by *Canada Elections Act*.

There are a few caveats to the general principle that Members cease to be Members on dissolution. For the purpose of issuing statutory allowances, including the sessional allowance, *Parliament of Canada Act* deems Members to continue as Members until the date of the election. Further, subsection 95(3) of the *Members By-law* also considers that individuals who are Members at the time of dissolution will continue to be considered “Members of Parliament” for the application of certain rules governing the use of goods, services, funds and premises during a dissolution period. Specifically, the *Members By-law* allows the use of House resources by Members only for services to individual constituents in the discharge of their parliamentary functions.

What constitutes “services to individual constituents” is limited to what is often referred to as casework; that is, the provision of passport or immigration documents, and other services carried out on behalf of individual constituents. The reason for this exception to the general rule is that individuals have been relying on Members of Parliament to assist them and often these requests relate to matters which are ongoing or time sensitive.

3. What House resources can Members use during the dissolution period?

The Board’s governing principles remain in effect during the dissolution period. Members may only use funds, goods, services and premises provided by the House of Commons in the discharge of their [parliamentary functions](#).

Resources provided to Members by the House of Commons to support their parliamentary functions—including, but not limited to, householders, parliamentary and constituency office space, office materials and supplies, telecommunication and wireless equipment and services, employees paid from the Consolidated Revenue Fund, postal services, photocopy and translation services, travel resources, Web site and network services, and budget

commitments, especially advertising expenses—must not be used for election-related purposes at any time.

Additionally, Members may not attend events in their capacity as Members of Parliament (they may do so as a candidate), nor use House resources to send messages of congratulations to constituents as this could be seen as assisting the Member's re-election and therefore be electoral in nature.

Members or House Officers who use these resources for election purposes must personally reimburse the equivalent dollar value to the House of Commons and more importantly, may also be found to be non-compliant with the *Members By-law* and be subject to any remedies deemed appropriate by the Board.

If Elections Canada determines, after an investigation, that House resources were used for election purposes, either to promote the campaign of the candidate or their party, or oppose the campaign of another candidate or party, etc., it will be the sole responsibility of the Member to demonstrate that these resources were not used to this end.

B. Members' Pay and Benefits

1. Do Members continue to receive their sessional allowance during the dissolution period?

Yes, Members continue to receive their sessional allowance during the dissolution period.

2. What happens to House Officers' additional salaries during the dissolution period?

In recognition of their continuing administrative, ceremonial and protocol roles, the Speaker and Deputy Speaker continue to receive their additional salaries during the dissolution period.

In recognition of the continuing administrative and financial responsibilities for their respective office budgets and their employees during the dissolution period, Opposition Party Leaders, Opposition House Leaders and Chief Whips of recognized parties will receive a one-time special stipend not exceeding their additional salaries normally paid under the *Parliament of Canada Act*. The additional salaries for all other House Officers cease to be paid at midnight (Eastern Standard Time) on the day of dissolution.

3. Does health and dental care coverage continue for Members during the dissolution period?

Yes, health and dental care coverage continue during the dissolution period.

C. Members' Employees

1. What happens to the salaries for Members' employees during the dissolution period?

Regular employees will continue to be paid and they may continue to provide services to constituents.

Short-term employees will continue to be paid until the end of their term of employment and they may continue to provide services to constituents until that time. The term of employment may not be extended beyond election day.

On-call employees may continue to work in the constituency office as required to provide services to constituents and be paid for those hours worked.

2. Does health and dental care coverage continue for Members' employees during the dissolution period?

Health care coverage continues for regular employees during the dissolution period, while coverage for long-term employees continues until the end of their term of employment. Coverage under the Public Service Health Care Plan (PSHCP) ceases on the last day of the month following the termination of employment.

Dental care coverage continues for regular employees during the dissolution period, while coverage for long-term employees continues until the end of their term of employment. Coverage under the Dental Care Plan (DCP) ceases upon termination of employment.

3. Does health and dental care coverage continue for Members' employees taking a leave without pay during the dissolution period?

Health care coverage continues, but some costs may apply depending on the level of coverage the employee opted for. In such cases, the employee will be informed through a personalized letter from Pay and Benefits.

Dental care coverage continues at no cost to the employee since this is an employer-paid benefit.

4. Can a Member grant leave to an employee in order for the employee to work full-time on the electoral campaign?

Members' employees are hired to support their parliamentary functions. As a result, during the dissolution period, no election-related work may be performed by these employees during normal working hours and never in the parliamentary or constituency offices. Any employees who wish to become involved with the federal election would have to do so outside normal working hours, e.g., in the evenings or on weekends, or while they are on leave, whether it is paid or unpaid leave. Leave requests must be promptly submitted by the Member or a delegated authority in writing to Pay and Benefits. For more information on the impact of a leave of absence for employees of House Officers and Research Office during the dissolution period, see below.

Members are reminded of the need to ensure compliance with the *Canada Elections Act* when making staffing decisions related to their electoral campaign. It is important that all requests for leave are documented and records maintained; the documentation and retention of leave requests will facilitate a response to requests from Elections Canada.

Individual Members and caucuses may have their own restrictions with respect to working on election campaigns so employees are advised to consult Members in this regard.

5. If a Member's constituency boundaries change after the next election, will an employee be entitled to severance if their commute to the constituency office becomes longer and unmanageable?

If the Member is re-elected, the employee is considered to be continuously employed. A regular employee who resigns and who has 10 or more years of continuous employment is entitled to severance equal to half of one week's pay for each completed year of continuous employment to a maximum of 26 years, which represents a maximum benefit of 13 weeks' pay. If the Member is not re-elected, then the employee is entitled to a Separation Entitlement.

6. What is a Separation Entitlement?

A Separation Entitlement is provided to regular and short-term employees when their employment is terminated because their Member is not re-elected or did not seek re-election. Employees will continue to receive an amount equal to their salary for 60 calendar days starting the day after the Member ceases to be a Member. Although employees are not required to work once they received their Separation Entitlement, they can assist their Member in closing their offices (17 days for Ottawa offices and 30 days for constituency offices).

D. Employees of House Officers and Research Offices

1. What is working notice?

In the days following dissolution, a written notice is given to regular employees of Opposition Party Leaders, Opposition House Leaders and Chief Whips, as well as Research Offices. Such notice serves to advise that their employment will terminate 60 days after the date of dissolution of Parliament.

2. What happens to short-term employees of the Research Offices and House Officers?

For short-term employees, working notice is the same as for regular employees; however their employment will terminate either 60 days after the date of dissolution or at the end date of the term of employment, whichever is soonest.

3. What is the impact of an early dissolution?

The Board of Internal Economy decided the working notice period will be extended to end ten working days after election day (i.e., November 2, 2015). For affected employees, this longer working notice period would result in continued employment until after election day, in order that relevant staffing decisions can be made by their employers.

4. Are on-call employees entitled to working notice?

No, their employment terminates on the day of dissolution.

5. Are employees expected to work during the working notice period?

Yes, short-term and regular employees are required to work during the notice period as their employment has not ended and their access to the buildings in the Parliamentary Precinct has not changed.

6. What is the nature of work/activities that would be acceptable during the dissolution period to remain compliant with the *Canada Elections Act*?

As per sections 4, 95, 97 and 102.1 of the *Members By-law*, during the dissolution period the Board has determined that the only acceptable work to be performed by employees of research offices, Opposition Party Leaders, Opposition House Leaders and Chief Whips of recognized parties must be limited to administrative activities related to:

- any contracts for goods and services entered into before the date of dissolution; and
- the closing of files and other matters related to the previous Parliament, including internal office administration and the organization of paper and electronic files.

7. Can short-term and regular employees take a leave of absence during the working notice period?

Yes, they may under the following conditions:

- If the employee takes an unpaid leave of absence, the working notice period will be extended by an equivalent number of days **if** the leave was approved by their employer and received by Pay and Benefits prior to leave being taken.
- If the employee takes a paid leave of absence, the working notice period will not be extended.

However, employees who start their leave of absence prior to the date of dissolution (maternity leave, long-term sick leave, personal leave of absence) will not have the working notice period extended.

Employees who start and end their leave of absence during the working notice period will have the working notice period extended by an equivalent number of days **if** the leave was approved and received by Pay and Benefits prior to the date of leave commencing.

8. Can a House Officer grant leave to an employee in order for the employee to work full-time on the electoral campaign?

Like Members' employees, House Officers' and Research Office employees are hired to support the carrying out of parliamentary functions. As a result, during the dissolution period, no election-related work may be performed by these employees during normal working hours and never in the parliamentary or constituency offices. Any employees who wish to become involved with the federal election would have to do so outside normal working hours, e.g., in the evenings or on weekends, or while they are on leave, whether it is paid or unpaid leave. Leave requests must be promptly submitted in writing by the Member or a delegated Human Resource authority to Pay and Benefits.

House Officers are reminded of the need to ensure compliance with the *Canada Elections Act* when making staffing decisions related to their electoral campaign. It is important that all requests for leave are documented and records maintained; the documentation and retention of leave requests will facilitate a response to requests from Elections Canada.

9. What happens if an employee's employment is not continued after the election?

No further action is required by the Member. Pay and Benefits will proceed with payouts of other termination entitlements, if applicable.

10. If a Member wishes to retain an employee who received a working notice following the election, what is the process?

Same position: If there is no change in position for the employee, then the Member must cancel the working notice by advising in writing the employees and Pay and Benefits.

Different position: If the employee is offered a new position, then a new letter of offer would be required as per the current process.

E. Budgets and Allowable Expenses

1. Can Members use their Member's Office Budget during the dissolution period?

Yes, Members may continue to use their Member's Office Budget during the dissolution period for allowable expenditures in the discharge of their parliamentary functions. In general, the following expenses are allowed during the dissolution period: employee salaries, existing contracts, existing constituency office leases, and utilities.

2. Can Members enter into new contracts for services or goods during the dissolution period?

No, Members may not enter into any new contracts during the dissolution period. Existing contracts may continue, but may not be extended during the dissolution period. This includes all types of contracts for office equipment, professional services, subscriptions, etc.

3. Can Members continue to advertise during the dissolution period?

No, all advertising is considered an election-related expense and may not be charged to the Member's Office Budget. Members must cancel their advertising commitments, since they may be considered an election-related expense by Elections Canada.

4. Can Members purchase office furniture, computer equipment or telecommunication equipment during the dissolution period?

No, Members may not purchase office furniture, furnishings, computers (including software) or telecommunication equipment during the dissolution period.

F. Travel

1. How do the travel provisions change during the dissolution period?

All entitlements under the Travel Points System cease as of the date of dissolution. However, Members may use up to the equivalent of one return trip per week to travel between Ottawa and their constituency during the dissolution period. Travel must be in support of parliamentary functions and not be election-related.

Members may charge their accommodations and per diem expenses to the Travel Status Expenses Account.

No expenses incurred for travel within the constituency or province in which the constituency is located will be reimbursed. All trips in progress as of the date of dissolution should be completed or terminated as soon as possible. All claims for trips taken prior to dissolution should be submitted before election day.

Via Rail pass privileges remain in effect.

2. Can Members' employees travel during the dissolution period?

Members may allocate up to three of their return trips between Ottawa and their constituency to their eligible employees. All travel regulations regarding employee travel, including class of travel, kilometre rate and per diem rates, remain in effect. A maximum of two weeks' accommodation and per diems per trip may be charged to the Member's Office Budget. Employee travel must be completed within 48 hours of election day or it will be considered a personal expense for the Member. Employees on leave are not eligible to use the Member's travel resources or to charge any travel expenses. Travel must be in the discharge of the Member's parliamentary functions and not be election-related.

G. Members' Expenditures Report

1. Are the reporting timelines for the *Members' Expenditures Report* affected by dissolution or the general election?

No, the reporting timelines for the *Members' Expenditures Report* remain the same. The report is produced quarterly and is published within three months of the end of each

quarter, regardless of the election date. Members will be required to review and sign off on their individual reports prior to the publication of the MER during the dissolution period.

2. Will expenses incurred by Members during the dissolution period be subject to disclosure?

Yes, expenses incurred by Members during the dissolution period will be disclosed.

H. Services

1. Can Members continue to use their wireless devices during the dissolution period?

Yes, Members may continue to use their wireless devices (including smartphones, tablets and iPads) as well as telephone and fax machine services in support of their parliamentary functions. If they use their wireless devices for election purposes, Members must reimburse the House for the costs incurred.

For Members running as candidate during the general election, there is also an obligation to advise Elections Canada of the use of these devices and report it as an electoral expense.

2. What happens to Members' postal services during the dissolution period?

Members' franking privileges and the special bulk mailing rate end 10 calendar days after Parliament is dissolved. During the dissolution period, Members may charge up to \$500 to their Member's Office Budget to purchase stamps for letter mail and to use courier services. Original receipts must be provided. Registered mail services may not be used during the dissolution period.

3. What happens to Members' printing services during the dissolution period?

The production and distribution of householders during an election period are deemed an election expense under the *Canada Elections Act*, and the commercial value of the householders will be treated as an election expense or advertising.

As a result, the Board has determined that the printing and mailing of householders will cease as of the date of dissolution in order to comply with Elections Canada's position on

election expenses. Printing of ten percenters and personalized stationery will also cease upon dissolution.

4. Can Members still use their designated Web site during the dissolution period?

Yes. Members do not have to disable their designated Web site; however, they can no longer charge expenses related to the designated Web site to their Member's Office Budget, since these are now considered personal expenses. If the Member's designated Web site is hosted by the House, it must be transferred to a commercial Internet service provider within 10 calendar days of the day of dissolution.

No election-related content may appear on the Member's designated Web site at any time.

5. What happens to Members' translation services during the dissolution period?

Members' translation services end 10 calendar days after Parliament is dissolved, with the exception of letters to or from constituents, which can be translated throughout the dissolution period.

6. What happens to Members' training during the dissolution period?

- Language training – Members and spouses: Members and their spouses may continue any language training that is already underway, but cannot start any new programs.
- Language training – Members' employees: All language training must cease.
- Other training provided by the House: All training must cease.
- Training charged to the Member's Office Budget: Programs already underway may continue, but no new programs may begin.

7. Can Members continue to use committee and multi-purpose rooms within the Parliamentary Precinct during the dissolution period?

All existing room reservations will be cancelled and no new bookings will be accepted during the dissolution period.

8. Will Members continue to have access to services provided by the Library of Parliament during the dissolution period?

- Members continue to have access to certain Library services, provided that they are not being used for electoral purposes.

- Services requested on behalf of constituents, such as information to respond to their questions or requests for tours, continue to be available.
- New research and analysis requests cannot be processed during the dissolution period.
- As committees cease to exist, unfinished or planned committee work cannot be completed, although most work for parliamentary associations can continue.