

**THE
PARLIAMENTARY ENTITLEMENTS
RULES & REGULATIONS,
2009**

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The Parliamentary Entitlements Rules and Regulations, 2009

Preamble

WHERE AS, in keeping with the provisions of the Parliamentary Entitlements Act of the Kingdom of Bhutan, 2008, hereinafter referred to as Act;

The National Committee on Parliamentary Entitlements, hereafter referred to as Committee, as empowered under Sections 4 and 6 of the Act, hereby, promulgate the Parliamentary Entitlements Rules and Regulations, 2009.

Chapter 1. Preliminary

1.1 Short Title

These rules shall be known as the Parliamentary Entitlements Rules and Regulation, 2009.

1.2 Extent and Commencement

1.2.1 These rules shall extend to the Members of Parliament, hereafter referred to as Member, but shall not extend to the Speaker of the National Assembly, Chairperson of the National Council and the Leader of the Opposition, whose entitlements are at par with the members of the Lhengye Zhungtshog.

1.2.2 These rules shall come into force with effect from the date announced through Executive Order of the Speaker of the National Assembly.

1.2.3 All existing rules, regulations and circulars in force concerning the entitlements of the Member, shall be deemed to have been superseded from the effective date of these revised rules.

Chapter 2. Salary

2.1 Salary of a Member

The monthly Basic Salary of a Member shall be fixed at the existing Pay Scale in the beginning of one's five-year term, and shall remain in force till revised.

2.2 Salary of Deputy Speaker and Deputy Chairperson

The Deputy Speaker of the National Assembly and Deputy Chairperson of the National Council shall be entitled to monthly Basic Salaries at the existing Pay Scale in the beginning of one's five-year term. Such Pay Scale shall be computed at the rate of 10% higher than the other Members.

2.3 Annual Increment

A Member shall be entitled to an annual increment as may be fixed by the National Committee on Parliamentary Entitlements from time to time.

Chapter 3. Allowances

3.1 House Rent Allowance

A Member shall receive 30% of the Basic Pay as House Rent Allowance as approved by the Parliament from time to time.

3.2 Vehicle Maintenance Allowance

A Member shall be entitled to monthly allowance towards maintenance of one's duty vehicle at the rate approved by the Parliament from time to time.

3.3 Driver Allowance

A Member shall be entitled to monthly allowance for employment of a personal driver at the rate approved by the Parliament from time to time.

3.4 Telephone

A Member, during a term of office, shall be entitled to a Mobile Phone, and a monthly Mobile Phone Voucher allowance at the rate approved by the Parliament from time to time.

3.5 Discretionary Allowance

A Member shall be entitled to an annual discretionary allowance at the rate approved by the Parliament from time to time.

Chapter 4. Transport

4.1 Purchase of vehicle

4.1.1 A Member shall be entitled to a one-time lump sum amount at the rate approved by the Parliament towards purchasing one's own duty vehicle, free of customs duty, at the beginning of one's five-year term.

4.1.2 In the event a member retires, resigns or is terminated from the office before the completion of one's five-year term, he/she shall reimburse on pro rata basis for the remaining term. This shall not apply in the event the member is deceased or becomes physically handicapped or mentally unsound to discharge one's duty for the remainder of the term.

4.1.3 In the event of a new Member being elected, through bye-election, for the remainder of the term, he/she shall be entitled to a one-time lump sum amount computed on pro rata basis for the remainder term in completed months.

4.2 Expenses for carriage and personal effects while joining

A Member shall be entitled to the following benefits for the journey from one's Gewog/station to Thimphu:

- a. Transport charge of personal effects at the rate approved by the Parliament;
- b. Daily Subsistence Allowance (DSA) at the rate approved by the Parliament;
- c. Travel Allowance (TA) or mileage for one way and the distance by the most direct route, if personal vehicle is used for traveling. In order to claim mileage, a Member shall submit a copy of the Vehicle Ownership document that he/she or his/her spouse owns a vehicle.

4.3 Expenses for journey on retirement

A Member, who leaves office upon completion of one's term, shall be entitled to the following benefits:

- a. Transport charge of personal effects at the rate approved by the Parliament; and
- b. Travel expenses of an amount equivalent to one's pay of the last month.

Chapter 5. Travel

5.1 Purpose of Travel

Travel shall be undertaken by a Member, after necessary approval from the Chairperson in case of members of the National Council and the Speaker in case of members of the National Assembly:

- a. To one's constituency to carry out any official assignment;
- b. For the Parliamentary Committee meetings within the country, if one is a member thereof;
- c. For study tour, seminar, symposium, conference, institutional visit, meeting, parliamentary delegation and programme both within and outside the country; and
- d. To carry out any assignment relating to Parliament.

5.2 Travel itinerary and convenience

5.2.1 The travel shall be planned for a specific period and the programme shall be submitted to the Chairperson or the Speaker, as the case may be, while seeking approval.

5.2.2 Should a Member be unable to follow the approved tour programme due to unavoidable reasons, approval should be sought from the authority concerned for making changes in the programme immediately.

5.2.3 Travel shall be arranged by the respective Secretariats of the two Houses of Parliament with concerned agencies.

5.4 Tour Report

It is mandatory for a Member to submit the tour report after his/her return from the tour to the duty station.

Chapter 6. Travel expenses allowance

6.1 Daily Subsistence Allowance (DSA)

- 6.1.1 A Member shall be entitled to Daily Subsistence Allowance (DSA) at the rate approved by the Parliament for official travels both in-country and abroad.
- 6.1.2 A Member traveling to a location farther than ten (10) kilometers from the duty station for official purposes shall be eligible for DSA provided his/her absence from the duty station exceeds eight (8) hours.
- 6.1.3 The day of duty shall be calculated from the time of commencement of the journey from the duty station and the days shall be reckoned on the basis of twenty (24) hours of absence from the duty station for the purpose of calculating DSA.
- 6.1.4 Fifty percent (50%) of DSA shall be paid for such official travel which is more than eight (8) hours but less than twelve (12) hours and full DSA if it is twelve (12) hours or more.
- 6.1.5 A Member required to halt in transit for 8 hours or more for the next flight while on travel outside the country shall be paid DSA.
- 6.1.6 DSA shall be paid for the actual period of halts required for processing visa.
- 6.1.7 A Member shall be paid DSA at the rate approved by the Parliament for travels connected with study tour, training, seminar, symposium, attachment, conference, institutional visit, meeting and workshop funded under the projects.
- 6.1.8 DSA or related expense shall not be paid during a travel abroad for the period when the DSA and other expenses are paid by the donors. However, when the donor had provided only the basic hospitality, i.e., food and lodge only, the Member shall be paid 30% DSA.

6.2. Other expenses

- 6.2.1 Notwithstanding the section 6.1.8 above, a Member shall be reimbursed the visa fee and airport tax on production of original receipts/documents.
- 6.2.2 When the travel expenses are borne by an external Agency, the mode and class of travel shall be determined by the Agency concerned.
- 6.2.3 While on tour in areas where there is no road communication or where vehicles do not ply, a Member shall be entitled to claim charges of ponies/mules and porter charges at the rates approved by the Parliament.

6.2.4 A Member who is the head of the delegation on official travel abroad shall be entitled to claim other incidental expenses towards buying of official gift(s) and/or offering of tips, at the rate applicable to cabinet minister heading the delegation.

Chapter 7. Leave

7.1 Type of leave

A Member shall be entitled to the following categories of leave, upon approval from the Chairperson in case of the members of National Council and the Speaker in case of the members of the National Assembly:

- a. Casual Leave;
- b. Earned Leave;
- c. Maternity Leave;
- d. Paternity Leave; and
- e. Medical Leave.

7.2 Casual Leave

Casual Leave shall be:

- 7.2.1 Granted to a Member for a short period on account of illness or urgent personal affairs and a Member on Casual Leave shall be considered on duty for all purposes;
- 7.2.2 Admissible for a maximum of ten (10) working days during a calendar year;
- 7.2.3 Treated as leave and debited to the Casual Leave account when availed by a Member;
- 7.2.4 Allowed to be availed by prefixing, sandwiching and suffixing Government holidays including weekly off-days viz. Saturdays and Sundays;
- 7.2.5 Granted even for half-a-day;
- 7.2.6 Allowed to be availed by a Member while on tour but Daily Subsistence Allowance shall not be admissible for the days of Casual Leave;
- 7.2.7 Allowed to be availed by a new Member assuming office in the course of a calendar year, proportionately calculated on a monthly basis; and
- 7.2.8 Allowed to be added to the Earned Leave credit if unused at the end of the year.

7.3 Earned Leave

7.3.1 A Member shall earn leave with gross pay at the rate of 2.5 (two and half) days for every completed month of service.

- 7.3.2 Earned leave shall be accumulated only to a maximum period of sixty (60) days.
- 7.3.3 Government holidays and weekly off days (Saturdays and Sundays) within the period of the earned leave sanctioned shall not be counted as earned leave.
- 7.3.4 A Member who has at least thirty (30) days earned leave at credit shall be permitted to en-cash thirty (30) days of earned leave, which shall be equal to one month's basic pay of the Member as on the date of encashment.
- 7.3.5 Thirty days earned leave shall be debited to the earned leave account of the Member concerned on the date of such encashment.
- 7.3.6 Only one such encashment of earned leave is allowed during a financial year.
- 7.3.7 Notwithstanding the provisions of Sub-Sections 7.3.4 and 7.3.6 above, a Member vacating office before completion of one's term for any reason, or on completion of the term, shall be permitted to en-cash the total accumulated earned leave in one's leave account, at the rate of full basic pay for 30 days earned leave.

7.4. Maternity Leave

- 7.4.1 A Member shall be entitled to full gross remuneration for a total period of three months from the date it commences. The Maternity Leave shall, at the latest, commence from the date of delivery.
- 7.4.2 In addition to the leave admissible under Section 7.4.1, a Member shall be entitled to Maternity Leave with full gross pay during miscarriage for a maximum period of one month on production of a medical certificate.
- 7.4.3 Maternity Leave may be combined with any other form of leave, except that the leave should commence from the date of delivery.
- 7.4.4 Government holidays shall be prefixed or suffixed, but holidays intervening the maternity leave shall be counted as leave.
- 7.4.5 Maternity Leave shall be granted on production of medical certificate.

7.5. Paternity Leave

- 7.5.1 A Member shall be granted Paternity Leave of 14 working days.
- 7.5.2 The Paternity Leave may be combined with other forms of leave and shall be prefixed or suffixed to public holidays.

7.6 Medical Leave

- 7.6.1 A Member, who has been certified as incapable of performing duties due to illness or injury shall be granted Medical Leave on production of a medical certificate issued by a medical authority in Bhutan.

- 7.6.2 A Member on medical leave shall be paid gross pay to a maximum of six months and basic pay thereafter.
- 7.6.3 A Member, who has been granted Medical Leave for more than three (3) months, on re-joining the duty, shall be required to produce a medical certificate of fitness to perform the duties.
- 7.6.4 A Member shall be granted the Medical Leave for a maximum period of one (1) month to escort a direct dependant of the Member concerned.
- 7.6.5 Records of leave accounts of Members shall be maintained by the respective Secretariats of the Houses of Parliament.

Chapter 8. Medical Facilities

- a. A Member shall be entitled to medical facilities in accordance with the National Medical Treatment Rules.
- b. A Member proceeding on medical treatment or as an escort shall be paid DSA at the rates prescribed in the medical treatment rules of the Ministry of Health.

Chapter 9. Retirement Benefits

9.1 Eligibility

A Member shall be entitled to retirement benefits on one's resignation or on completion of a term. However, a member is not entitled to retirement benefits if he/she:

- a. is terminated;
- b. willfully remains outside the country with knowledge of indictment or charges, as the case may be; or
- c. fails to appear, testify or produce any document relating to their service as Member before an appointed authority without any reasonable justification.

9.2 Provident Fund and Pension Benefit

- 9.2.1 A Member who has served for a minimum of one year shall be entitled to the provident fund benefits, both the employee and employer contributions together with returns thereon as per the National Pension and Provident Fund Rules and Regulations.
- 9.2.2 A member of parliament shall be entitled to avail pension scheme of National Pension and Provident Fund as per the National Pension and Provident Fund Rules and Regulations generally applicable to any salaried employee of any organization.
- 9.2.3 The amount of monthly pension benefits and the Provident Fund payable to a retired Member under the National Pension Plan and the Provident Fund

benefits shall be subject to the provisions in the National Pension and Provident Fund Plan Rules and Regulations.

- 9.2.4 A copy of the order relieving a Member from Parliamentary Service shall be endorsed to the National Pension and Provident Fund, which shall form the basis for the National Pension and Provident Fund to sanction the pension and provident fund benefits.
- 9.2.5 The amount accumulated to a Member under the National Pension and Provident Fund Plan shall not be liable to attachments, garnishments, levy or seizure, except to pay any dues of the Member payable to the National Pension and Provident Fund Plan or to the respective Secretariats of the Houses of the Parliament.

9.3 Gratuity

- 9.3.1 A Member, on completion of one's term, shall be entitled to receive gratuity at the rate of one and half (1.5) times of last monthly salary for completed number of years on production of an audit clearance certificate. The gratuity shall be payable to the nominee(s) of a Member in case of his/her demise while serving the term.
- 9.3.2 The gratuity claim of a Member shall be verified from the personal file of a concerned Member and certified by the designated authority in the prescribed form.
- 9.3.3 The gratuity shall be sanctioned to a Member by the respective Secretary Generals of the Houses of the parliament in accordance with the applicable rules.

9.4 Group Insurance-cum Saving Scheme (GIS)

A Member, on completion of one's term or on voluntary resignation before the completion of the term, shall be entitled to the benefit of GIS Scheme, which shall be managed by the Royal Insurance Corporation of Bhutan Ltd.

9.5 Recovery

The amount due from a Member, if any, at the time of completion of term, resignation, retirement or demise and not recoverable other-wise, shall be recovered from the overall retirement benefit payable to the Member concerned, his nominees or other legal heir to whom such payments may be released.

9.6 Returning of Facilities

There shall be proper handing/taking over of the charge before a Member is relieved when his/her services are separated from the Parliament, irrespective of the reason for the separation, or convey the facilities provided, if any, to the respective Secretariat.

9.7 Secretariat

The Secretariat concerned shall take the responsibility to process on time the post retirement benefits of the Member upon completion of the term or when his/her services are separated from the parliament irrespective of the reason for separation.

Chapter 10. Other Benefits

10.1 Executive class and executive lounges

A Member shall be entitled to travel by the executive class and entitled to use executive lounges in the airport while traveling by air.

10.2 Leave Travel Concession

A Member shall be entitled to annual Leave Travel Concession (LTC) amount at the rate recommended by the National Committee and approved jointly by the Speaker of the National Assembly and the Chairperson of the National Council.

10.3 Duty Free membership

A Member shall be entitled to Duty Free membership for the Duty Free Shop, Ministry of Finance, at the rate recommended by the National Committee and approved jointly by the Speaker of the National Assembly and the Chairperson of the National Council.

10.4 For family of a deceased Member

Family of a deceased Member shall be entitled to the following allowances:

- a. House rent allowance shall be paid for a period of three months from the date of his/her demise;
- b. Transport charge of personal effects at the rate approved by the Parliament;
- c. Travel expenses of an amount equivalent to the last month's pay of the concerned Member.

Chapter 11. Nomination

- a. A Member shall submit to the respective Secretariat concerned a nomination in the prescribed form conferring on one or more persons the right to receive the retirement benefits that may be due to him/her in the event of his/her demise.
- b. A Member who desires to nominate more than one person under Sub-section (a) above, shall specify the amount payable to each of the nominees.
- c. A Member may, at any time, cancel a nomination and submit a fresh one in its place.
- d. A Member may state in a nomination that in the event of predecease of the nominee, the right conferred upon the nominee shall automatically change to another person or persons, as may be specified in the nomination.

- e. A Member not having a family at the time of nomination shall file a fresh nomination on acquiring a family and if one fails to comply with this requirement, the benefits shall be paid to the nominees nominated earlier or disbursed in accordance with the law of inheritance, as the case may be.
- f. Every nomination made and every notice of cancellation by a Member shall, to the extent it is valid, take effect on the date on which it is received by the Secretariat concerned.
- g. The personal file and service record of a Member who had completed one's term or whose services are separated from the Parliament, irrespective of the reason for the separation, shall be retained by the respective Secretariat.

Chapter 12. Miscellaneous

12.1 Supplementary Order

The Speaker of the National Assembly shall issue Executive Orders consistent with these rules as may be necessary from time to time upon the recommendation of the National Committee on Parliamentary Entitlements.

12.2 Authority for Amendment and Interpretation

Upon submission from the National Committee on Parliamentary Entitlements for amendment of any provision of these rules and/or interpretation thereof, the authority for amendment and interpretation of any provision under these rules shall vest with the Speaker of the National Assembly and the Chairperson of the National Council and their interpretation shall be final and binding.

12.3 Authoritative Text

The Dzongkha text shall be the authoritative text in the event of any difference in the meaning between the Dzongkha and the English texts of these rules and regulations.

