

**IMPLEMENTING MEASURES FOR THE STATUTE FOR MEMBERS OF
THE EUROPEAN PARLIAMENT**

BUREAU DECISION

OF 19 MAY AND 9 JULY 2008¹

TITLE I

EXERCISE OF THE PARLIAMENTARY MANDATE

Chapters:

1. Salary
2. Medical expenses
3. Insurance against risks connected with the exercise of the parliamentary mandate
4. Reimbursement of expenses
5. Assistance from personal staff
6. Provision of equipment and facilities

TITLE II

END OF THE PARLIAMENTARY MANDATE

Chapters:

1. Transitional allowance
2. Old-age pension
3. Invalidity pension
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TITLE III

GENERAL AND FINAL PROVISIONS

Chapters:

1. Payment arrangements
2. Regularisation and recovery
3. Other general financial provisions
4. Final provisions

TITLE IV

TRANSITIONAL PROVISIONS

¹ As amended by the Bureau decisions of 11 November, 23 November, 14 December 2009, and 19 April, 5 July and 13 December 2010, 14 February, 23 March, 14 November 2011, 12 December 2012 and 1 July 2013.

THE BUREAU OF THE EUROPEAN PARLIAMENT,

Having regard to the Treaty establishing the European Community, and in particular Article 190(5) thereof,

Having regard to the Statute for Members of the European Parliament² (hereinafter ‘the Statute’),

Having regard to Rules 8 and 23(2) of Parliament’s Rules of Procedure³,

Whereas:

- (1) The Statute lays down the rules and general conditions governing the exercise of the office of Member of Parliament. In addition to its provisions concerning the institutional aspects of Members’ rights, the Statute lays down uniform financial rules which are applicable to Members both during their term of office and after they have completed their parliamentary activities. The Bureau is solely responsible for implementing the financial aspects of the Statute.
- (2) The purpose of these implementing measures is to supplement the Statute, not only in cases where its provisions expressly stipulate that the arrangements for their implementation are to be laid down by Parliament but also in cases where such implementation requires that implementing measures should be drawn up in advance.
- (3) These implementing measures also replace the Rules governing the payment of expenses and allowances to Members of the European Parliament (hereinafter ‘PEAM Rules’)⁴, which will be repealed on the day the Statute enters into force.
- (4) As regards the reimbursement of medical expenses, a decision has been taken, partly with a view to reducing administrative costs, to use the system applicable to Judges at the Court of Justice and Members of the Commission, in particular through the good agencies of the settlement offices of the Joint Sickness Insurance Scheme set up by the institutions of the European Communities⁵, whilst complying with the specific conditions laid down by the Statute.
- (5) As regards the reimbursement of expenses linked to exercise of the mandate, including travel expenses, these implementing measures are based on the rules approved by the Bureau on 28 May 2003 establishing the principle of reimbursement on the basis of expenses actually incurred. At the same time, in keeping with those rules and with the relevant case-law⁶, a limited part of the expenses linked to exercise of the mandate will continue to be reimbursed by means of a lump-sum payment.
- (6) As regards the defrayal by Parliament of the expenses actually incurred by Members in employing personal assistants, clear rules should be established governing the employment of assistants engaged in Member States where Members were elected, whose contracts must

² Decision 2005/684/EC, Euratom of the European Parliament of 28 September 2005 adopting the Statute for Members of the European Parliament (OJ L 262, 7.10.2005, p. 1).

³ The references to the Rules of Procedure are to the version in force during the seventh parliamentary term.

⁴ Doc. PE 113.116/BUR./rev. XXVI/04-2009.

⁵ Joint rules on sickness insurance for officials of the European Communities, adopted by all the institutions, common agreement on which was recorded by the President of the Court of Justice of the European Communities on 24 November 2005.

⁶ Judgment of the Court of Justice of 15 September 1981 in Case 208/80 *Bruce of Donington v Aspden* [1981] ECR 2205.

without fail be managed by paying agents. At the same time, due account should be taken of a likely change in the legal status of accredited assistants, who are to be subject to specific legal arrangements adopted on the basis of Article 283 of the Treaty. In the light of Parliament's resolution of 22 April 2008⁷, it would be appropriate to prohibit the funding of contracts concluded with the members of Members' families.

- (7) Moreover, in the transitional provisions steps should be taken to ensure that persons in receipt of certain benefits under the PEAM Rules continue to receive them after those rules have been repealed, in keeping with the principle of legitimate expectations. Steps should also be taken to guarantee maintenance of the pension rights acquired on the basis of the PEAM Rules prior to the entry into force of the Statute. In addition, due account should be taken of the specific arrangements governing Members who, during a transitional period and in respect of the financial rules governing exercise of the mandate, will be covered by national systems in their Member State of election, pursuant to Article 25 or Article 29 of the Statute,

HAS ADOPTED THESE IMPLEMENTING MEASURES:

TITLE I
EXERCISE OF THE PARLIAMENTARY MANDATE

Chapter 1
SALARY

Article 1

Entitlement to salary

From the date on which they take up their duties until the last day of the month in which those duties cease, Members shall be entitled to the salary referred to in Article 10 of the Statute.

Article 2

Prohibition of concurrent receipt of salaries

1. The salary received by a Member for exercising a mandate in another parliament simultaneously with that in Parliament shall be offset against the salary provided for in Article 10 of the Statute.
2. 'Another parliament' as referred to in paragraph 1 shall mean any parliament established in a Member State which has legislative powers to which Article 7(2) of the Act concerning the election of the representatives of the European Parliament by direct universal suffrage⁸ does not apply.
3. The calculation shall be based on the total of the two salaries before the deduction of tax.

⁷ European Parliament resolution of 22 April 2008 with observations forming an integral part of the decision on discharge in respect of the European Union general budget for the financial year 2006, Section I – European Parliament (OJ L 88, 31.3.2009, p. 3).

⁸ OJ L 278, 8.10.1976, p. 5.

4. Members shall state in their declarations of financial interests any mandate held within the meaning of paragraph 1 above, and any salary received as a result of that mandate.

Chapter 2

MEDICAL EXPENSES

Article 3

Recipients of reimbursements and reimbursement procedures

1. Pursuant to Article 18 of the Statute, and applying *mutatis mutandis* the rules drawn up by common agreement between the institutions of the Communities⁹, and their general implementing provisions¹⁰, the following persons shall be entitled to reimbursement of two-thirds of the costs that they incur as a result of sickness, pregnancy or the birth of a child:

- (a) Members and former Members in receipt of the transitional allowance provided for in Article 13 of the Statute or of a pension pursuant to Articles 14 and 15 of the Statute in respect of their expenses and the expenses incurred:

- (i) by their spouses or stable non-marital partners as defined in Article 58(2) and

- (ii) by their dependent children as defined in Article 58(3), until the latter reach the age of 21 or, at the latest, 25 if they are in full-time education or professional training, or with no age limit if they are suffering from a serious illness or infirmity which prevents them from meeting their own needs,

in cases where those spouses, stable non-marital partners and dependent children are not eligible for benefits of the same nature and of the same level as Members or former Members by virtue of any other legal provision or regulations;

- (b) persons entitled to a survivor's pension pursuant to Article 17 of the Statute.

The persons referred to in points (a) and (b) shall be free to choose their practitioners and hospitals or clinics, as set out in Article 19(1) of the aforementioned rules.

2. The reimbursements provided for in paragraph 1 shall be debited to Parliament's budget. Article 72(3) and (4) of Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials of the European Communities and the Conditions of Employment of Other Servants of the European Communities¹¹ and Article 20(6) of the aforementioned rules shall apply.

⁹ Joint rules on sickness insurance for officials of the European Communities, adopted by all the institutions, common agreement on which was recorded by the President of the Court of Justice of the European Communities on 24 November 2005, as referred to in Article 72 of Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission (OJ L 56, 4.3.1968, p. 1).

¹⁰ Commission Decision of 2 July 2007 laying down the general implementing provisions for the reimbursement of medical expenses.

¹¹ OJ L 56, 4.3.1968, p. 1.

3. Advances within the meaning of Article 30 of the aforementioned rules may only be granted in the form of direct billing of hospitalisation expenses. Following application of the reimbursement scale, the part of the expenses to be defrayed by the beneficiaries referred to in paragraph 1 of this article shall be paid back to Parliament in accordance with the conditions laid down in Article 30(2) and (3) of the said rules.
4. Members and former Members in receipt of the transitional allowance provided for in Article 13 of the Statute or of a pension pursuant to Articles 14 and 15 of the Statute may waive their entitlement to reimbursement of medical expenses as provided for in paragraph 1 with effect from the first day of the month following the date of submission of the request. In that case they shall be entitled to reimbursement of two thirds of the contribution due for health insurance provided that the total amount reimbursed does not exceed EUR 400 per month.
5. Any Member or former Member who, pursuant to paragraph 4, waives his or her entitlement to reimbursement of medical expenses may not return to the system of entitlement to reimbursement of medical expenses as provided for in paragraph 1 until twelve months have elapsed from the date on which the waiver took effect. Likewise, any subsequent change, whether it concerns a return to the system of entitlement to reimbursement of medical expenses as provided for in paragraph 1 or a waiver of such entitlement, may be made only after a minimum period of twelve months.
6. The amount referred to in paragraph 4 may be adapted annually by the Bureau up to the annual rate of increase of the average amount reimbursed per recipient by the Joint Sickness Insurance Scheme for officials of the European Communities (JSIS).
7. This Article shall also apply to former Members receiving the transitional allowance referred to in Article 45 for the period running from the first day following cessation of their duties to the date of the commencement of their entitlement to the transitional allowance.
8. This Article shall also apply to former Members receiving the old-age pension referred to in Article 49 for the period running from the first day following cessation of their duties to the date of the commencement of their entitlement to the pension, provided that the conditions set out in Article 49(1) were fulfilled before the cessation of their duties.

Article 4

Procedure

Applications for reimbursement shall be submitted to the relevant Parliament department or directly to the Settlements Office of the Commission, using standard forms accompanied by original supporting documents.

Article 5

Financing

The financing of the reimbursement system and the arrangements for settling expenses shall be governed by a cooperation agreement between Parliament and the Commission on the basis of the

provisions of the Statute and of the Joint Sickness Insurance Scheme of the institutions of the European Communities. On behalf of Parliament, its President shall sign that agreement after consulting the Quaestors.

Article 6

Complaints

Notwithstanding Article 72, any dispute arising from the interpretation of this chapter in specific cases shall be submitted to the Secretary-General, who shall take a decision after obtaining an opinion from the Management Committee of the Joint Sickness Insurance Scheme of the institutions of the European Communities and after consulting the Quaestors.

Chapter 3

INSURANCE AGAINST RISKS CONNECTED WITH THE EXERCISE OF THE PARLIAMENTARY MANDATE

Article 7

General provisions

1. Under the conditions laid down in the insurance contracts, Members shall be entitled to:
 - (a) insurance against accidents which they might suffer during the exercise of their mandate;
 - (b) insurance against theft and loss of their personal property and effects during the exercise of their mandate.
2. Two-thirds of the insurance premiums due shall be charged to Parliament's budget and the remaining third to Members. The contribution of each Member shall be deducted directly from the salary provided for in Article 10 of the Statute.
3. This article shall apply to all Members from the beginning of their mandate unless they notify the Secretary-General in writing of their express wish to forgo insurance cover. Where applicable, their right to insurance cover shall lapse on the last day of the month in which notification of that wish was given.

Article 8

Accident insurance

1. The accident insurance policy shall provide for cover against accidents to Members anywhere in the world throughout their mandate.
2. The provisions of the accident insurance policy shall provide for:

- (a) in the event of death: payment to the persons listed below of a lump sum equal to five times the annual salary provided for in Article 10 of the Statute:
- to the spouse and children of the deceased Member in accordance with the law of succession governing the Member's estate; however, the amount to be paid to the spouse shall not be less than 25% of the lump sum,
 - where there are no persons of the category above, to the other descendants in accordance with the law of succession governing the Member's estate,
 - where there are no persons of the two categories above, to the ascendants, in accordance with the law of succession governing the Member's estate,
 - where there are no persons of any of the three categories above, to Parliament;
- (b) in the event of total permanent invalidity: payment to the person concerned of a lump sum equal to eight times the salary provided for in Article 10 of the Statute;
- (c) in the event of partial permanent invalidity: payment to the person concerned of a proportion of the amount provided for in point (b) calculated by reference to the scale laid down by the rules drawn up by common agreement of the institutions of the Communities¹², as provided for in Article 73(1) of Regulation (EEC, Euratom, ECSC) No 259/68.
3. The rules provided for in paragraph 2, point (c) shall apply, *mutatis mutandis*, to Members. The provisions concerning occupational diseases and life annuities and any provision the application of which is inseparable from the status of an official shall not apply. The complaints procedure provided for in Article 72 shall apply.

The powers of the Appointing Authority as laid down in the above instruments shall be exercised, in respect of Members, by the President of Parliament.

Recognition of total or partial permanent invalidity, pursuant to this article and the above instruments, shall not in any way preclude the application of Article 15 of the Statute and vice versa.

4. In accordance with the conditions laid down in the rules referred to in paragraph 2, point (c), cover shall also extend to medical and pharmaceutical expenses, costs of hospitalisation, surgery, prostheses, radiography, massage and orthopaedics, invoices from clinics, transport costs and any similar expenses necessitated by the accident. However, this reimbursement shall be made only after exhaustion of, and as a supplement to, those which the person concerned receives pursuant to the provisions on the reimbursement of medical expenses laid down in Article 18 of the Statute.

¹² Common rules on the insurance of officials of the European Communities against the risk of accident and of occupational disease, adopted by all the institutions, common agreement on which was recorded by the President of the Court of Justice of the European Communities on 13 December 2005.

Article 9

Insurance against loss and theft

1. The insurance policy against theft and loss of personal property and effects shall provide for:
 - (a) worldwide cover;
 - (b) a maximum sum insured of EUR 5 000 per theft or loss;
 - (c) an excess of EUR 50 payable by the Member in the event of a successful claim;
 - (d) cover for personal effects and property;
 - (e) application of a percentage for depreciation on the price of the effect or property when the reimbursement is made.
2. In the event of theft or loss occurring off Parliament's premises, cover shall be provided only if the Member concerned is travelling on official business at the time. If the theft occurs on Parliament's premises, cover shall be provided if the effects or property stolen were kept in a safe place.
3. A theft or loss of money which occurs off Parliament's premises and which is reported to the police shall be covered up to a maximum of EUR 250 if the lost or stolen money forms part of other personal effects lost or stolen. Theft or loss of money on Parliament's premises shall not be covered.
4. In the event of baggage being lost or mislaid for more than 12 hours by a carrier when a Member is travelling on official business to a destination other than his or her place of residence, the personal effects or property which the Member has to buy or hire shall be covered up to a ceiling of EUR 500.
5. Any theft or loss of personal effects or property shall be reported by the Member concerned to the police if it occurred off Parliament's premises. If it occurred on Parliament's premises, it shall be reported to the Security Unit.
6. Thefts and losses shall be reported to the Secretary-General within eight days. The report form shall be accompanied by an invoice for the lost or stolen object or, failing that, for the replacement item if the value exceeds EUR 700.
7. The insurance shall not cover thefts and losses covered by a private insurance policy held by the Member.

Chapter 4
REIMBURSEMENT OF EXPENSES

Section 1: Reimbursement of travel expenses

Subsection 1: Common provisions

Article 10

Entitlement to reimbursement for duty travel

1. Members shall be entitled to reimbursement of expenses actually incurred in undertaking:
 - (a) journeys to and from Parliament's places of work or the venues for meetings of one of its official bodies, as defined in paragraph 3, hereinafter referred to as 'ordinary travel expenses';
 - (b) journeys undertaken in the performance of their duties outside the Member State in which they were elected, in keeping with the conditions laid down in Article 22, hereinafter referred to as 'additional travel expenses';
 - (c) journeys undertaken in the Member State in which they were elected, in keeping with the conditions laid down in Article 23.
2. The following shall also be regarded as ordinary travel expenses: travel expenses incurred by Members in undertaking any specific mission authorised by the President, the Bureau or the Conference of Presidents.
- 2a. The following shall also be regarded as ordinary travel expenses: travel expenses incurred by the Chairs of committees or sub-committees in attending Council meetings.
3. 'Official Parliament bodies' shall mean Parliament bodies, as defined in Title I, Chapter 3, of Parliament's Rules of Procedure, along with the parliamentary committees, the interparliamentary delegations and other delegations constituted on the basis of those Rules of Procedure, the political groups and the other bodies authorised by the Bureau or the Conference of Presidents.

Article 11

Procedure

Travel expenses shall be reimbursed on the basis of the attestation of attendance and on presentation of the relevant travel documents, and, where appropriate, other supporting documents as stipulated in Article 14.

Article 12

Attestation of attendance

1. A Member's attendance shall be attested by his or her signature in the record of attendance available in the Chamber or meeting room or by his or her signature in the central attendance register entered during its opening hours as laid down by the Bureau.
2. By way of exception, attendance may be attested by other documents proving that the Member was present at the meeting venue during normal meeting hours. This option may be used on no more than five occasions per half-parliamentary term.
3. Declarations by the Member or another person shall not be regarded as proof of attendance within the meaning of paragraphs 1 and 2. However, in the cases referred to in Article 10(1), points (b) and (c), and Article 10(2), attendance shall be attested by the Member's declaration.

Article 13

Travel documents

1. Applications for reimbursement of travel expenses must be accompanied by supporting documents indicating the price paid, the route taken and the class, date and time of travel, and, in particular:
 - (a) in the event of travel by air: tickets bearing the Member's name and all boarding cards;
 - (b) in the event of travel by rail or boat: all the tickets.
2. By way of derogation from paragraph 1, in the event of travel by car Members shall submit a declaration indicating the registration number of the car used to make the journey and, for car journeys in the Member State of election, the distance travelled and the places of departure and arrival, or, for all other car journeys, the mileage at the places of departure and arrival. Should the length of the journey exceed 800 km, the declaration shall be accompanied by supporting documents which make it possible to determine the date on which the journey was made (e.g. a fuel purchase receipt pertaining to a transaction at the place of departure or during the journey, motorway toll slip, car rental contract or invoice, etc.).

Supporting documents enabling the date of the journey to be ascertained must always be submitted in the case of journeys between Brussels and Strasbourg.
3. The cost of season tickets or a card entitling a named individual to a reduced fare for the journeys made may be reimbursed in the form of an advance. The advance shall be regularised at the end of the season ticket or card's validity.
4. A Member who purchases tickets from Parliament's travel agency may, on his or her sole responsibility, and after signing an acknowledgement of receipt, ask the relevant department to reimburse the cost directly to the travel agency.

Article 14

Other supporting documents

Applications for reimbursement of travel expenses must be accompanied by the following documents:

- (a) in the cases referred to in Article 10(1), point (b): an invitation to or a programme for the event attended by the Member or other supporting documents proving that the journey was undertaken in the exercise of the Member's mandate, or in the case referred to in Article 22(2a), a declaration by the Member that the journey was undertaken in the exercise of his or her mandate;
- (b) in the cases referred to in Article 10(1), point (c): a declaration by the Member stating the purpose of the journey undertaken in the exercise of his or her mandate;
- (c) in the cases referred in Article 10(2): where appropriate, an authorisation from the President, the Bureau or the Conference of Presidents;
- (d) in the cases referred to in Article 10(2a): an invitation from the Council.

Article 15

Amounts reimbursed

Travel expenses shall be reimbursed on the basis of the expenses actually incurred, up to a maximum of:

- (a) in the event of travel by air: the business class tariff;
- (b) in the event of travel by rail or boat: the first-class fare;
- (c) in the event of travel by car, with a reimbursement ceiling of 1 000 km per outward or inward journey: EUR 0,50/km, plus the cost of any ferry crossing or similar transportation required.

Subsection 2 – Provisions applicable to ordinary travel expenses

Article 16

Days on which travel is undertaken

1. The journeys referred to in Article 10(1), point (a) must be undertaken only for the purpose of attending official activities taking place on days set aside for them in Parliament's official calendar of business.
2. The journeys referred to in Article 10(2) and (2a) must be undertaken on the days fixed by the body empowered to authorise travel.

Article 17

Routes

1. Reimbursement of the travel expenses incurred in making a journey to one of Parliament's places of work or a meeting venue shall be calculated on the basis of the most direct route between the Member's place of residence, as defined in paragraph 2, or the capital city of his or her Member State of election, and the place of work or meeting venue.
2. 'Place of residence' shall mean the place, situated on the territory of the Community, where the Member ordinarily resides, i.e. actually lives on a fairly consistent basis, without prejudice to the performance of his or her parliamentary duties. The Member shall inform the relevant department of that place of residence.
3. The most direct route shall be determined by taking into account:
 - (a) for journeys by air: the closest airport to the Member's point of departure which can issue an air ticket at the tariff referred to in Article 15 and the distance between that airport and the destination;
 - (b) for journeys by rail: the station closest to the Member's point of departure and the distance between that station and the destination;
 - (c) for journeys by car or boat: the distance between the Member's point of departure and the destination.
4. When a Member takes up his or her duties or changes his or her place of residence, he or she shall be informed of the airport and station and the most direct, i.e. the shortest, routes which will be used for the purpose of applying these Implementing Measures.
5. At any time the Member may propose to the relevant department, in writing, stating his or her reasons, a different route offering a substantial gain in terms of time or convenience and not involving additional costs of more than 20%. If that route is accepted, it shall replace the most direct route as determined in accordance with paragraph 3.

If the route is not accepted or the route proposed by the Member has the effect of increasing the cost of the journey by more than 20%, the matter shall be referred to the Secretary-General, who may consult the Quaestors before making a decision.

6. In the event of a break in the journey, travel expenses shall be reimbursed from the last place of departure. A break in the journey shall be any break of more than one night, excluding Saturdays and Sundays and public holidays, made on the Member's route to or from one of Parliament's places of work or an official meeting venue.
7. If the point of departure or arrival does not correspond to the Member's place of residence or the capital of the Member State in which he or she was elected, travel expenses shall be reimbursed up to a maximum of the expenses which the Member would have incurred in making the journey to or from that place of residence by the most direct, i.e. the shortest, route.
8. In the case of journeys undertaken between two places of work and/or meeting venues, paragraphs 3 and 7 shall apply *mutatis mutandis*.

9. The tariffs used for the purposes of these Implementing Measures shall be updated periodically and at least twice a year.

Article 18

Arrangements

1. Members shall be entitled to reimbursement of the expenses incurred in making one return journey per Parliament working week between their place of residence or the capital of the Member State in which they were elected and a place of work or meeting venue (hereinafter referred to as 'main journey').
2. Except during weeks set aside in Parliament's official calendar of business for activities away from its places of work, Members shall also be entitled to reimbursement of the expenses incurred in making one return journey in the middle of a Parliament working week between a place of work or a meeting venue and their place of residence or another point of departure in the Member State in which they were elected (hereinafter referred to as 'intermediate journeys').
3. The entitlement to reimbursement of expenses incurred in making intermediate journeys shall be independent of the entitlement to reimbursement of the travel expenses incurred in making journeys within the Member State in which a Member was elected, as referred to in Article 10(1), point (c).
4. Members shall not be entitled to any reimbursement in respect of journeys undertaken using a means of transport made available by Parliament.
5. Members who were unable to use an official car shall be entitled, on presentation of supporting documents, to reimbursement of taxi fares incurred in making journeys between the airport or station of arrival or departure and the place of work or meeting venue. The rules governing the reimbursement of taxi fares, and the reimbursement ceilings, shall be laid down by the Bureau.

Article 19

Entitlement to the distance and duration allowances

1. In respect of journeys within the European Union, Members shall be entitled to distance and duration allowances intended to cover all travel-related expenses. This entitlement shall apply only to the main journey within the meaning of Article 18(1).
2. Paragraph 2 is deleted.
3. No entitlement to the distance and duration allowances shall arise in respect of the journeys referred to in Article 10(1), points (b) and (c) or in the cases referred to in Article 18(4). A break in a journey as referred to in Article 17(6) or of any other kind shall not create any additional entitlement to a duration or distance allowance.
4. The amounts of the distance and duration allowances:

- (a) for travel to Parliament's places of work, shall be set at the beginning of the Member's term of office for the duration thereof, and shall be reviewed only in the event of a change of address, irrespective of any changes in the route actually taken;
 - (b) for travel to other venues for meetings within the meaning of Article 10(1)(a), (2) and (2a), shall be set for each journey individually.
5. If the additional travel-related expenses incurred by the Member exceed the amount of the distance allowance, he or she may apply for reimbursement of the difference, subject to presentation of supporting documents.
6. The minimum period of time which must be spent at the place of work or meeting venue in order to entitle Members to payment of the duration and distance allowances shall be four hours.

Article 20

Amount of the distance allowance

1. The distance allowance shall be calculated as follows:
- (a) for the part of the journey between 0 and 50 km: EUR 22,51;
 - (b) for the part of the journey between 51 and 250 km: EUR 0,12/km;
 - (c) for the part of the journey between 251 and 1 000 km: EUR 0,06/km;
 - (d) for the part of the journey in excess of 1 000 km: EUR 0,03/km.
2. The amounts shall be calculated on the basis of the shortest outward or return route between the town centre of the Member's place of residence and the arrival infrastructure of the meeting venue.

If the calculation basis for a train journey is unknown or hard to ascertain, the calculation basis for a car journey shall be used.

Article 21

Amount of the duration allowance

1. The duration allowance shall be calculated as follows:
- (a) for a journey with a total duration of between two and four hours: amount equivalent to one-eighth of the allowance provided for in Article 24;
 - (b) for a journey with a total duration of between four and six hours: amount equivalent to one-quarter of the allowance provided for in Article 24;
 - (c) for a journey with a total duration of more than six hours involving no overnight stay: amount equivalent to half the allowance provided for in Article 24;

(d) for a journey with a total duration of more than six hours and necessarily involving, for duly substantiated reasons, an overnight stay: amount equivalent to a full allowance as provided for in Article 24, subject to presentation of supporting documents.

2. The duration of the journey shall be calculated as follows:

(a) for journeys by air, rail or boat:

- duration of the journey between the Member's place of residence and the airport or station, made at a speed of 60 km/h;
- duration of the journey by air, rail or boat on the basis of the timetable;
- one hour at embarkation, or at the departure of the train or boat, 30 minutes at disembarkation or on arrival;
- 30 minutes for the transfer between the airport or station and Parliament's buildings in Brussels, Luxembourg and Strasbourg (Entzheim).

The Bureau shall determine the duration of journeys to Strasbourg via other airports on the basis of the availability of means of transport¹³.

(b) for journeys by car: duration of the journey between the Member's place of residence and the place of work or meeting venue, made at a speed of 70 km/h.

Subsection 3 – Provisions governing additional journeys and journeys in the Member State of election

Article 22

Additional travel expenses

1. The maximum annual amount which may be reimbursed in respect of travel expenses incurred in the cases referred to in Article 10(1), point (b) shall be EUR 4 243.
2. On that basis, and on presentation of the relevant original bill or invoice, Members may also apply for reimbursement of taxi fares, car rental costs, hotel bills and other related expenses incurred during the period of official activities. This entitlement shall also cover the day before the start and the day after the end of the period of official activities.
 - 2a. Where a Member travels to one of Parliament's places of work during a week in which no official European Parliament activities are taking place, reimbursement of additional travel expenses shall be confined to travel costs, including taxi fares within the limits laid down in the Bureau rules governing the use of official cars by Members of the European Parliament, and hotel costs.
 - 2b. Requests for reimbursement for journeys undertaken in order to participate in an activity at the invitation of a Member or a European Parliament political group shall also be accompanied by

¹³ See item 15 of the Minutes of the Bureau meeting of 4 May 2009 and Quaestors' notice 23/09.

other supporting documents proving that the journey was undertaken in the exercise of the Member's mandate.

2c. Members may combine ordinary travel with additional travel.

Where all of the combined travel takes place within the European Union, the leg of the journey that starts or finishes at one of Parliament's places of work or official meeting venues shall be reimbursed in accordance with Article 10(1)(a).

Where part of the combined travel takes places outside the European Union, the additional cost arising from the Member's not having travelled by the most direct route on account of the additional journey shall be charged to his or her additional travel allowance, as provided for in paragraph 1.

2d. Members may combine additional travel with subsidiary non-official activities provided that this does not increase the amount of travel and subsistence expenses to be reimbursed.

2e. The activities for which additional travel is undertaken may not give rise to another form of public or private reimbursement of the expenses incurred.

3. The maximum annual amount which may be reimbursed in respect of the travel expenses actually incurred by committee or subcommittee chairs travelling to attend conferences or events which deal with a matter of European interest falling within the sphere of responsibility of their committee or subcommittee and which have a parliamentary dimension shall be EUR 4 243. Such participation shall require prior authorisation from the President of Parliament, following verification that appropriations up to the maximum amount indicated above are available.

A committee or subcommittee chair may authorise in writing one of his or her vice-chairs, or, if that is not possible, a member of his or her committee or subcommittee, to represent him or her at such a conference or event.

These expenses shall be subject to the same conditions governing reimbursement as those which apply to additional travel expenses.

Article 23

Travel expenses incurred in the Member State of election

1. The entitlement to the reimbursement of travel expenses incurred in the Member State in which a Member was elected, as referred to in Article 10(1), point (c), may not exceed, per calendar year:

(a) 24 (return) journeys by air, rail or boat; Members elected in mainland France may not make more than two journeys to the overseas departments and regions, overseas local authorities, New Caledonia and the French Southern and Antarctic Territories;

(b) as regards journeys by car, a distance not exceeding:

- 24 000 km for Members elected in Germany, Spain, France, Italy, Poland, Romania, Finland, Sweden or the United Kingdom;

- 16 000 km for Members elected in Bulgaria, the Czech Republic, Ireland, Greece, Hungary, Austria, Portugal or Slovakia;
 - 8 000 km for Members elected in Belgium, Denmark, Estonia, Croatia, Cyprus, Latvia, Lithuania, Luxembourg, Malta, the Netherlands or Slovenia.
- 1a. On written request, any Member who has exhausted his or her air, rail or boat journey allowance, as laid down in point (a) of paragraph 1, may convert his or her car journey allowance, as laid down in point (b) of paragraph 1, into the allowance for air, rail or boat journeys at the rate of a one-way air, rail or boat journey for the equivalent of 2 % of the maximum number of kilometres allowed for the Member State of election of the Member concerned.
- The same shall apply, *mutatis mutandis*, for any Member who has exhausted his or her car journey allowance.
2. Travel expenses incurred within an urban area using public transport (including taxis) shall be reimbursed on the basis of the usual supporting documents for the means of transport used. The amount reimbursed shall be divided by the amount per km payable for car journeys, and the result deducted from the number of kilometres referred to in paragraph 1(b).
3. Where a Member whose place of residence, as defined in Article 17(2), is in a Member State other than that in which he or she was elected travels between that place of residence and his or her Member State of election in the exercise of his or her mandate, the journeys made shall be considered as journeys within the Member State of election for the purposes of paragraph 1(a) and (b).

Section 2: Reimbursement of subsistence expenses

Article 24

Subsistence allowance

1. Members shall be entitled to a subsistence allowance for each day's attendance:
- (a) in a place of work or at a meeting venue, duly attested in accordance with Article 12, involving travel covered by the provisions governing reimbursement of ordinary travel expenses;
 - (b) at a meeting of a committee or another body of a national parliament, held away from the Member's place of residence, on presentation of the attestation of attendance drawn up by that committee or body.

During weeks set aside for external parliamentary activities, Members shall be entitled to receive a subsistence allowance for a maximum of three days, except where the allowance is payable pursuant to points (a) and (b) and except in the specific circumstances decided by the Bureau on 19 October 2009.

2. If the official activity takes place on the territory of the Community, a Member shall receive a lump-sum allowance of EUR 304.
3. If the official activity takes place outside the territory of the Community, a Member shall receive:

- (a) a lump-sum allowance equal to half the amount provided for in paragraph 2 for the period between the departure time of the last convenient flight before the beginning of the meeting and the arrival time of the first convenient flight after the meeting, or between the departure time and the arrival time of any special aircraft chartered by Parliament, as appropriate. Periods of more than 12 hours shall count as a full day. Periods of more than six, but fewer than 12, hours shall count as a half day;
 - (b) on presentation of the original bill, reimbursement of reasonable accommodation expenses incurred at the meeting venue;
 - (ba) on presentation of supporting documents, reimbursement of visa costs and related expenses;
 - (c) in duly substantiated exceptional circumstances, reimbursement of reasonable subsistence expenses incurred during the journey itself.
4. If the hotel bills submitted concern double rooms, reimbursement shall not exceed 85% of the total bill.
 5. If the duration of the Member's stay at the place of work is less than four hours and the journeys to and from the place of work are undertaken on the same day, the subsistence allowance shall be reduced by half.

Section 3: General expenditure allowance

Article 25

Entitlement to the allowance

Members shall be entitled to a general expenditure allowance in the form of a lump sum to cover expenses which arise in the course of their parliamentary activities. Members shall not be entitled to use the general expenditure allowance for activities which are covered by other allowances under these Implementing Measures or other Parliament rules, except where they have exhausted the amounts provided by way of those allowances.

Article 26

Period covered

1. The general expenditure allowance shall be payable for the duration of a Member's term of office.
2. The monthly amount of the allowance under Article 25 shall be EUR 4 299.
3. Members whose term of office begins after the fifteenth day of the month shall receive only half the allowance for that month.

4. Half the allowance shall also be payable for a period of three months following the month in which a Member's term of office ends, provided that the latter has served for at least six months and is not re-elected.

Article 27

Payments

All payments under the general expenditure allowance shall be made directly to Members.

Article 28

Expenses covered

1. The general expenditure allowance is intended to cover expenses such as:
 - office running and office maintenance costs,
 - office supplies and documentation,
 - office equipment costs,
 - representational activities,
 - administrative costs.
2. The Bureau shall adopt a non-exhaustive list of the expenses which may be defrayed from the general expenditure allowance¹⁴.

Section 4: General provisions

Article 29

Assistance to Members on official journeys

1. A Member who, in the course of an official journey as referred to in Article 10(1), point (a), (2) and (2a), falls seriously ill or is the victim of an accident or of unforeseen circumstances that prevent the journey from proceeding smoothly shall be entitled to the assistance of Parliament. That assistance shall include the organisation of repatriation and the assumption of responsibility for payment of any associated costs. The Member, or, where appropriate, his or her representative, may request repatriation to one of Parliament's places of work or to his or her place of residence.
2. In the event of the death of a Member during such an official journey, the expenses incurred in transporting the deceased back to his or her place of residence may also be reimbursed.

¹⁴ See the list of expenses which may be defrayed from the General Expenditure Allowance (GEA), adopted by the Bureau on 13,December 2010.

3. Parliament shall discharge its assistance obligations by means of an insurance policy. The rights of Members referred to in paragraphs 1 and 2 shall be exercised under the conditions laid down in the policy.
4. The insurance policy shall cover *inter alia* the cost of provision of the following assistance:
 - assistance in the event of serious illness, accident or death of a Member,
 - assistance and early return in the event of natural disaster, major disturbances of public order or serious illness, accident or death of a relative of the Member,
 - logistical and administrative assistance in the event of loss or theft of documents,
 - assistance in the event of legal action taken out against the Member,
 - supplementary life and invalidity insurance (outstanding balance).

Article 30

Assistance for disabled Members

The Quaestors may, on a proposal from the Secretary-General and after consulting Parliament's doctor, authorise the defrayal by Parliament of certain expenditure required to provide a seriously disabled Member with the assistance he or she needs to perform his or her duties. The percentage of invalidity and the suitability of the assistance proposed shall be subject to periodic confirmation by Parliament's doctor. The authorisation given by the Quaestors shall lay down the arrangements for providing assistance and the period during which it is to be provided.

Article 31

Periods of absence

1. The subsistence allowance provided for in Article 24 shall be reduced by 50% for each day on which a Member has been absent for more than half of the roll-call votes taken on the Tuesdays, Wednesdays and Thursdays of Strasbourg part-sessions and the second day of Brussels part-sessions.
2. Any Member who, in a parliamentary year (from 1 September to 31 August), is absent on at least 50% of the days fixed by the Bureau for plenary sessions of Parliament shall reimburse to Parliament 50% of the general expenditure allowance, as provided for in Article 25, relating to that period.
3. Any period of absence referred to in paragraph 2 may be excused by the President on the grounds of ill-health or serious family circumstances, or the presence of the Member concerned elsewhere on mission on behalf of Parliament. Supporting documents shall be submitted to the Quaestors within a maximum of two months from the date on which the period of absence began.
4. A Member expecting a child shall be excused attendance at official meetings of Parliament for a period of three months preceding the birth of the child. The Member must submit a medical certificate indicating the probable date of confinement. After confinement, the Member shall be excused attendance at official meetings for a period of six months. The Member must submit a copy of the child's birth certificate.

Article 32

Pecuniary sanctions

1. Members who, under Rule 152 of Parliament's Rules of Procedure, have been excluded from the Chamber shall forfeit, for the duration of their exclusion, their entitlement to the subsistence allowance provided for in Article 24.
2. Members shall forfeit their entitlement to the subsistence allowance in the cases referred to in Rule 153 of Parliament's Rules of Procedure.

Chapter 5

ASSISTANCE FROM PERSONAL STAFF

Article 33

Defrayal of parliamentary assistance expenses

1. Members shall be entitled to assistance from personal staff whom they may freely choose. Parliament shall defray expenses actually incurred and arising wholly and exclusively from the employment of one or more assistants or the use of service providers in accordance with these implementing measures and the conditions laid down by the Bureau.
2. Only expenses for assistance which is necessary and directly linked to the exercise of a Member's parliamentary mandate may be defrayed. Expenses linked to a Member's private life may on no account be defrayed.
3. Expenses shall be defrayable for the duration of a Member's term of office.
4. The maximum monthly amount defrayable in respect of all the personal staff referred to in Article 34 shall be EUR 18 189. With effect from 1 May 2010, that amount shall be EUR 19 689. With effect from 1 July 2010, that amount shall be EUR 19 709. With effect from 1 January 2011, that amount shall be EUR 21 209.
5. Where a Member's term of office does not begin on the first day of a month or does not end on the last day of a month, the parliamentary assistance expenses defrayable for that month shall be calculated on a pro rata basis.
6. The unused balance of the monthly amount provided for in paragraph 4 which has accumulated at the end of the financial year shall be carried over to the next financial year, up to a maximum of the monthly amount referred to in that paragraph.

Article 34

General principles

1. Members shall make use of:

- (a) accredited parliamentary assistants as referred to in Article 5a of the Conditions of employment of other servants, and
 - (b) natural persons who are to assist Members in their Member States of election and who have concluded an employment or service contract with them in keeping with applicable national law, in accordance with the conditions laid down in this chapter, hereinafter referred to as 'local assistants'.
2. Several Members may form a grouping in order jointly to employ or to use the services of one or more assistants as referred to in paragraph 1. In this case, the Members concerned shall designate from amongst their number the Member(s) authorised to sign, in the name of and on behalf of the grouping. A declaration that a grouping of Members has been established shall be annexed to the contract concluded individually with the assistant(s) concerned.

In that declaration the Members shall lay down the respective shares to be deducted from the amount provided for in Article 33(4).

3. Articles 35 to 42 shall not apply to accredited parliamentary assistants.
4. Expenses incurred in connection with traineeship agreements, established on the basis of the conditions laid down by the Bureau, may also be defrayed.
5. Without prejudice to paragraph 1, point (b), Members may also make use of service providers in order to obtain specific and clearly identified services directly linked to the exercise of their parliamentary mandate, in accordance with the conditions laid down in this chapter.
6. The services provided may not include the provision of staff, except for temporary services by service providers who provide such services on a professional and regular basis and are authorised under national law to provide such services.
7. The Bureau shall adopt a non-exhaustive list of expenses which may be defrayed for the purpose of parliamentary assistance¹⁵.
8. The names of the persons referred to in paragraph 1(a) and those of the persons referred to in paragraph 1(b) who have concluded an employment contract with the Member concerned shall, for the duration of the contract, be published on the website of the European Parliament, together with the name of the Member whom they assist.

Those persons may, on the ground of protection of their personal safety, request in writing that their name not be published on the European Parliament's website. The Secretary-General shall decide whether to grant such a request.

Article 35

Paying agents

1. All the employment and service contracts concluded by a Member or a grouping of Members shall be administered by a paying agent established in an EU Member State.

¹⁵ See the list of expenses which may be defrayed for the purpose of parliamentary assistance, adopted by the Bureau on 5 July 2010.

2. Paying agent services shall be performed by a natural or legal person duly authorised within a Member State to exercise a professional activity dealing with the tax- and social security-related aspects of employment contracts or service contracts under national law.
3. The Member concludes an individual contract with a paying agent of his or her choice who fulfils the requirement of paragraph 2.

Expenses incurred in using paying agent services in accordance with paragraph 1 shall be covered by the amount provided for in Article 33(4) and shall not be subject to the limit laid down in Article 41(2).

4. The contract between the Member and the paying agent shall be concluded on the basis of a standard contract approved by the Bureau.

The standard contract shall establish, in accordance with this chapter, the payment arrangements in respect of the contracts referred to in paragraph 1 and the paying agent's remuneration and liability.

Article 36

Arrangements for managing contracts with personal staff

1. The paying agent shall ensure that national and Community law, in particular as regards social security and tax obligations, is properly complied with in respect of the contracts he or she manages.
2. Paying agents' fees shall be paid on submission of the relevant invoices or fee statements.
3. Members shall supply their paying agents with all the documents and information they require in order to ensure the lawfulness and sound management of the contracts for which they are responsible, in particular the documents and information referred to in Article 37(2), Article 38(1), point (a), Article 40, Article 41(1), point (a) and Article 42.
4. Parliament shall pay the paying agent the amounts due under the contracts, including traineeship agreements, for which he or she is responsible, on submission of the requisite supporting documents.
5. At the request of the Member, Parliament shall exceptionally pay on his or her behalf net salaries directly to those assistants with whom the Member has concluded an employment contract as well as to trainees. The paying agent shall inform the relevant department without delay of the amounts payable in respect of social security and tax and draw up the salary slips.
- 5a. By way of exception to Article 35(1), traineeship agreements which are exempt from taxes, contributions to a national social security scheme and any other charges do not have to be administered by a paying agent, if the Member submits, before the beginning of the traineeship:
 - (a) a certification by his or her paying agent that the traineeship complies with the applicable legislation and is exempt from the above mentioned charges, or

- (b) for traineeships in Parliament's premises in Brussels or Strasbourg, a declaration authorising Parliament's services to verify the exemption of the above mentioned charges with the competent national authority.
6. Whenever circumstances so require, Parliament may, in the context of an employment contract and at the request of a Member, pay advances on the payments referred to in paragraphs 4 and 5.

Advances may also be used to cover the expenses incurred by local assistants in making short journeys. In that case, they shall be paid on a flat-rate basis up to a maximum of EUR 100 per assistant per month. Should the expenses incurred exceed that ceiling, the paying agent shall submit on a quarterly basis supporting documents substantiating the expenses incurred. In exceptional cases these supporting documents may be replaced by a declaration.

The regularisation of such advances shall remain under the sole responsibility of the paying agents and shall be carried out in accordance with these implementing measures and applicable national law.

Article 37

Application for defrayal of parliamentary assistance expenses

1. Applications for defrayal of parliamentary assistance expenses pursuant to Article 34(1), point (b), (2), (4) and (5), specifying the beneficiaries and the amounts of the payments to be made, shall be submitted to the relevant department by the Member or by his or her paying agent, and shall be duly countersigned by all the Members concerned and, save in the case provided for in Article 36(5a)(b), by the paying agent. They shall be accompanied by the supporting documents referred to in Article 38 in respect of employment contracts and those referred to in Article 41 in respect of service contracts.
2. Members shall immediately inform their paying agents and the relevant department of any change in their contractual relations and the instructions concerning payments, indicating the changes made to the contract.

Paying agents shall immediately forward such information and the corresponding supporting documents to the relevant department.

Article 38

Documents to be submitted in connection with an employment contract

1. In cases where an employment contract has been concluded, when submitting an application for defrayal of expenses a paying agent shall, within 30 days from the start of the contract, forward to the relevant department:
 - (a) a copy of the employment contract which the Member has concluded with his or her local assistant;

- (b) a document proving that the local assistant has joined a social security scheme and indicating the Member concerned as the employer;
 - (c) where applicable national law so provides, a certificate of insurance against accidents at work;
 - (d) a copy of the contract concluded between the Member and the paying agent of his or her choice, as referred to in Article 35(3), point (a), or of the mandate issued to Parliament's paying agent, as referred to in Article 35(3), point (b);
 - (e) a calculation sheet detailing the salaries, employers' and employees' contributions and other likely expenses to be paid or defrayed during the year and which takes account of contractual obligations, including any mission expenses, and the provisions of national law.
2. In cases where a new employment contract has been concluded, the document proving membership of a social security scheme and the certificate of insurance against accidents at work must without fail be submitted at the latest within three months following the date on which the contract takes effect. Where the contract covers a period of less than three months, this obligation must be discharged immediately.

Article 39

Obligations in connection with an employment contract

1. Paying agents shall, for the period laid down by the applicable national law, and for at least one year from the end of the parliamentary term concerned, keep a pay statement record book itemising sums paid by way of remuneration and tax and social security contributions (as paid by both the employee and the employer). Should a contract with a paying agent be terminated prior to the end of the Member's term of office, a certified true copy of the aforementioned documents shall be forwarded immediately to the new paying agent of the Member's choice, as referred to in Article 35(3).
2. For each of the assistants employed, paying agents shall forward to the relevant department, at the latest by 30 March of the year following the Parliament's financial year in question and on termination of their contracts, statements of the expenses incurred in respect of salaries, tax deductions and social security contributions and any other defrayable expenses, in particular for the purpose of the regularisation of the advances paid. They shall also certify that all the obligations arising from applicable national law have been met.

These statements shall be drawn up in accordance with Parliament's specifications.

3. Following verification of the statements, no later than the 1 June following the date of receipt of the statements, notification shall be forwarded to the paying agents, with copies to the Members, stating whether or not the payments made are regular and, where appropriate, which documents are missing and must still be submitted. In the event of the termination of a paying agent's contract, the notification shall be forwarded no later than two months following the date of receipt of the statements.

Should such notification establish that the payments are not regular, the documents required for their regularisation shall be submitted to the relevant department by 30 June at the latest, or, in cases where the paying agent's contract has been terminated, within one month following notification. Failing that, Parliament shall apply Articles 67 and 68.

Article 40

Employment contract termination expenses

1. By way of derogation from Article 33(3), additional expenses incurred when the employment contracts concluded by Members with their local assistants terminate by virtue of the fact that their term of office has come to an end may be defrayed, provided that these expenses arise from compliance with applicable national labour law, including collective agreements.
2. Paragraph 1 shall not apply if:
 - (a) the Member concerned is immediately re-elected to the subsequent Parliament;
 - (b) the Member concerned has served for less than six months;
 - (c) the Member concerned has failed to comply with legal obligations relating to termination of the employment contract, including notice of dismissal, in good time prior to the end of his or her term of office, except in cases where the end of the term of office could not have been foreseen in advance;
 - (d) the assistant concerned is in receipt of other remuneration from a Community institution or is employed by another Member or by a grouping of Members during the period in question;
 - (e) the expenses in question are the result of a specific agreement between the parties or a decision to award a bonus, over and above statutory or collectively agreed obligations, on termination of the employment contract.
3. Paying agents shall submit to the relevant department an application for payment of the expenses referred to in paragraph 1, duly countersigned by the Member and specifying the legal basis for such payment, within three months following the end of the Member's term of office.
4. Where Members are legally required under applicable national labour law to pay, in respect of the expenses falling within the scope of paragraph 1, an amount which is more than three times that referred to in Article 33(4), such expenses may be defrayed on an exceptional basis on submission of duly established supporting documents which must be certified by the competent national authorities. Applications for defrayal shall be submitted under the procedure laid down in paragraph 3.
5. In order to cover expenses relating to the termination of an employment contract that cannot be defrayed under paragraphs 1 to 4, Members may instruct their paying agent to set aside funds from the amount referred to in Article 33(4) and to carry them over to the following financial years provided that the following conditions are satisfied:

- (a) the Member has, through appropriate written documentation, established that, outside the European Parliament and without the participation of Members of the European Parliament, a well-established practice exists in the sector to which the employment contract relates whereby redundancy payments above the statutory minimum are made;
- (b) redundancy amounts corresponding to the practice identified under point (a) have been agreed in the employment contract of the local assistant. The amounts agreed may in no circumstances exceed one month's salary for each year of employment;
- (c) the amounts set aside are declared per employee during the annual regularisation procedure under Article 39. The paying agent shall open a separate bank account for the funds and shall each year provide a bank statement for regularisation. In every financial year, the paying agent may only set aside amounts corresponding to employment periods from the start of the ongoing parliamentary term until the end of that financial year or, if the contract expires in that year, until the end of the contract. Interest collected on the amounts set aside shall be declared at the time of the annual regularisation procedure. Any surplus or unused amounts shall be reimbursed to Parliament on an annual basis and at the end of the employment contract concerned.

Article 41

Documents to be submitted in connection with a service contract

1. In cases where a service contract as provided for in Article 34(1), point (b) or Article 34(5) has been concluded, when submitting an application for defrayal of expenses the Member, or the paying agent in the Member's name, shall forward to the relevant department:
 - (a) a copy of the service contract which the Member has concluded with his or her service provider and which clearly defines the nature of the services to be provided;
 - (b) a copy of the contract concluded between the Member and the paying agent of his or her choice.
2. The cost of services provided shall be defrayed on submission to the relevant department by the Member of an invoice or fee statement describing in detail the services actually provided by the service provider.

The service provider shall declare that the invoices or fee statements submitted comply with applicable national law, in particular as regards VAT where services provided on a regular basis are concerned. Where services are exempt from VAT, the service provider shall indicate the legal basis for that exemption and shall certify that all of his obligations under national law have been fully met.

The maximum amount defrayed in respect of services provided may not exceed 25% of the amount laid down in Article 33(4). This amount may be used on a cumulative and annual basis.

Paragraphs 3 and 4 are deleted.

Article 42

Extraordinary expenses

Where a local assistant with an employment contract is absent for a period exceeding three months, either on maternity leave or on account of serious illness, the proportion of the cost of replacing him or her, as from the third month of absence, not covered by the employee benefits paid under the applicable national social security scheme may be defrayed over and above the amount referred to in Article 33(4). Paying agents shall submit to the relevant department applications for defrayal of such expenses, duly countersigned by the Member.

Article 43

Non-reimbursable expenses

The sums paid pursuant to this chapter may not be used directly or indirectly:

- (a) to finance contracts concluded with Parliament's political groups or political parties;
- (b) to cover expenses which may be reimbursed under other allowances provided for by these implementing measures or other provisions of Parliament's Rules of Procedure;
- (c) to cover expenses incurred in connection with a contract for the provision of services where this may give rise to a conflict of interests, in particular in cases where a Member or one of the persons referred to in point (d):
 - is the sole or part owner of a company or a profit-making organisation which acts as his or her service provider,
 - sits on the board of directors or another executive body of a company or profit-making organisation which acts as his or her service provider,
 - has access to the bank account of his or her service provider,
 - has an interest in or obtains a financial benefit of any kind from the activities of his or her service provider;
- (d) to fund contracts providing for the employment or the use of the services of Members' spouses or stable non-marital partners, as defined in Article 58(2), or their parents, children, brothers or sisters.

Chapter 6
PROVISION OF EQUIPMENT AND FACILITIES

Article 44

Access to internal services and the provision of equipment and facilities

1. The Bureau shall adopt the rules governing Members' access to Parliament's internal services and the provision of equipment and facilities to Members, in particular as regards:
 - the use of official cars,
 - furniture for Members' offices,
 - the provision of IT and telecommunications equipment,
 - stationery supplies,
 - the use by Members and the political groups of the office space made available to them in Parliament's information offices,
 - the processing of Members' papers handed over in the form of a gift or legacy to an institute, association or foundation,
 - arrangements whereby Members who reach the end of their term of office during a parliamentary term can have their personal effects from their Brussels and Strasbourg offices transported to their countries of origin,
 - the use of official bicycles,
 - language and computer courses for Members,
 - the use of the services provided by the Medical Service.

2. The Bureau may also adopt provisions granting former Presidents of Parliament, during their term of office, and former Members access to Parliament's facilities.

TITLE II
END OF THE PARLIAMENTARY MANDATE

Chapter 1
TRANSITIONAL ALLOWANCE

Article 45

Entitlement to the transitional allowance

With effect from the first day of the month following the cessation of their duties, former Members shall be entitled to the transitional allowance referred to in Article 13 of the Statute.

Article 46

Expiry

1. Former Members shall not be entitled to the transitional allowance if they hold a mandate in another parliament or a public office.
2. The entitlement to the transitional allowance shall lapse when a former Member takes up a mandate in another parliament or assumes a public office. Where this occurs, the transitional allowance shall be paid until the last day before the former Member takes up his new duties.
3. For the purposes of this article, ‘another parliament’ as referred to in paragraphs 1 and 2 shall mean any parliament established in a Member State which has legislative powers.
4. ‘Public office’ as referred to in paragraphs 1 and 2 shall mean any of the following:
 - (a) paid elected posts involving the exercise of the prerogatives of public authority;
 - (b) membership of a national or regional government;
 - (c) a post as a senior official exercising public authority or a post as an official or Member of a Community institution.

Article 47

Offsetting of payments

1. Where a former Member is simultaneously entitled to the transitional allowance and to an old-age or invalidity pension as referred to in Article 14 and Article 15 respectively of the Statute, the former Member shall receive whichever of the two payments he or she opts to receive. He or she shall notify the Secretary-General of his or her decision no later than three months after the end of his or her mandate. That decision shall be irrevocable.

2. If the former Member opts for payment of the transitional allowance, this shall result in suspension of payment of the old-age pension or invalidity pension for the duration of the period of payment of the transitional allowance.

Article 48

Procedure

1. In order to be able to receive the transitional allowance, the former Member shall apply to the Secretary-General for it no later than three months after the end of his or her mandate, attaching a written word of honour that he or she is not performing any of the duties referred to in Article 46.
2. If Article 47(1) applies, this statement shall be accompanied by the decision referred to there.
3. Any change in the conditions which gave rise to the award of the transitional allowance which may necessitate a change in this entitlement shall be notified to the Secretary-General without delay. Where there is any doubt, the Secretary-General may ask the person concerned to submit his or her observations.
4. If, on the basis of facts verifiable from sources available to the public, it comes to the knowledge of the Secretary-General that the former Member is performing the duties referred to in Article 46, he shall suspend payment of the transitional allowance and inform the person concerned accordingly.
5. A former Member may renounce his or her entitlement to the transitional allowance at any time. He or she shall notify the Secretary-General of that decision.

Chapter 2 OLD-AGE PENSION

Article 49

Entitlement to an old-age pension

1. After the cessation of their term of office, Members who have exercised their mandate for at least one complete year shall be entitled, for life, to an old-age pension payable from the first day of the month following that in which they reach the age of 63.

Former Members or their legal representatives shall, except in cases of force majeure, submit their application for payment of the old-age pension within six months of the commencement of entitlement. After that deadline the date on which enjoyment of the old-age pension takes effect shall be the first day of the month in which the application is received.

2. Payment of the old-age pension shall be suspended in the case of any pension claimant who is re-elected to Parliament. Old-age pension entitlements which he or she acquires as a result of his or her new mandate shall be added to the old-age pension entitlements acquired before his or her re-election. Payment of the old-age pension shall resume when the Member relinquishes his or her mandate in Parliament.

3. When a Member's mandates are separated by an intervening period, the periods of all the mandates shall be added together for the purpose of calculating the old-age pension.

Article 50

Prohibition of concurrent receipt of pensions

1. An old-age pension which a former Member receives by virtue of a mandate which he or she exercised in another parliament simultaneously with his or her mandate in the European Parliament shall be offset against the old-age pension.
2. 'Another parliament' as referred to in paragraph 1 shall mean the parliament defined in Article 2(2).
3. The calculation shall be based on the total of the two salaries before the deduction of tax.
4. Any former Member who has exercised a mandate in another parliament simultaneously with the mandate in Parliament shall declare the old-age pension to which he or she is entitled by virtue of the mandate in that other parliament.

Chapter 3 INVALIDITY PENSION

Article 51

Entitlement to an invalidity pension

1. A Member who has been recognised, in accordance with the procedure laid down in Article 55, as suffering from total invalidity preventing him or her from performing his duties and who therefore resigns shall be entitled to an invalidity pension from the date on which the resignation takes effect, without prejudice to paragraph 3.
2. The entitlement to an invalidity pension shall lapse if the Member fails to notify his or her resignation within three months of the date on which the decision establishing his or her invalidity has been officially communicated to him or her.
3. The entitlement to an invalidity pension shall begin at the end of the parliamentary term during which the invalidity has arisen:
 - (a) if the Member is unable to resign because of his or her invalidity, or
 - (b) if the decision establishing invalidity has been adopted after the end of the parliamentary term during which the procedure referred to in this article has begun, or
 - (c) if the time-limit referred to in paragraph 2 has not elapsed.

Article 52

Calculation of invalidity pensions

1. The amount of the invalidity pension shall be 3,5% of the salary referred to in Article 10 of the Statute for each complete year in which the mandate was exercised and, for each additional complete month, one-twelfth of that sum, but shall be at least 35% of that salary, while not exceeding a total of 70%.
2. The rules on the calculation of the old-age pension shall apply *mutatis mutandis* to the calculation of the invalidity pension.

Article 53

Prohibition of concurrent receipt of pensions

1. An invalidity pension which a former Member receives by virtue of a mandate which he or she exercised in another parliament simultaneously with the mandate in Parliament shall be offset against the invalidity pension.
2. 'Another parliament' as referred to in paragraph 1 shall mean the parliament defined in Article 2(2).
3. Any former Member who has exercised a mandate in another parliament simultaneously with the mandate in Parliament shall declare the invalidity pension to which he or she is entitled by virtue of the mandate in that other parliament.

Article 54

Offsetting of payments

If a former Member is simultaneously entitled to an invalidity pension and to an old-age pension, he or she shall receive the old-age pension. However, the amount of the old-age pension may not be less than that of the invalidity pension.

Article 55

Procedure

1. The Member or his or her legal representative shall submit the application for retirement on grounds of invalidity to the President of Parliament, accompanied by a medical certificate, indicating the name of the doctor who has been instructed to represent him or her in the invalidity committee referred to in Article 56.
2. Within three months of being convened by the Secretary-General, the invalidity committee referred to in Article 56 shall submit, in accordance with the terms of reference issued by Parliament, a medical report, stating reasons, assessing whether the conditions referred to in

Article 51 have been met. In exceptional cases, this time-limit may be extended by the Secretary-General.

3. On a proposal from the invalidity committee, the President of Parliament shall establish that the Member concerned qualifies for retirement on grounds of invalidity and shall inform him or her of the decision, asking him or her to resign. In the event of a negative decision, the President shall inform the Member of the available appeal procedures.

Article 56

Invalidity committee

1. The invalidity committee shall consist of three doctors:
 - the first appointed by the Member concerned,
 - the second appointed by Parliament, and
 - the third appointed by agreement between the first two doctors.

In the event of failure to agree on the appointment of the third doctor within two months of the appointment of the second doctor, the third doctor shall be appointed ex officio by the President of the Court of Justice of the European Communities at Parliament's request.

2. The expenses arising from the work of the invalidity committee, including travel expenses, shall be borne by Parliament.
3. The Member may submit to the invalidity committee all reports or certificates issued by the doctor treating him or her or by those practitioners whom he or she has seen fit to consult.
4. The proceedings of the invalidity committee shall be secret.

Article 57

Review of invalidity

1. Former Members who no longer meet the conditions laid down in Article 51 shall forfeit their entitlement to an invalidity pension.
2. Until the former Member reaches the age of 63, Parliament may require him or her to undergo examination every five years by a doctor appointed to check whether he or she still meets the required conditions for eligibility for an invalidity pension.
3. This examination may also be conducted before the time indicated in paragraph 2, particularly if Parliament has received information that the former Member is performing duties in return for payment. If the occasion arises, this situation shall be assessed on the basis of facts verifiable from sources available to the public, in the light of the circumstances of each case and after an investigation in which each side has the opportunity to submit its case and reply to the case of the other side.

4. At the proposal of the doctor conducting the examination, the invalidity committee may establish that the state of health of the former Member has so improved that he or she no longer meets the conditions referred to in Article 51.
5. The decision to terminate the invalidity pension shall be taken by the President of Parliament, on the basis of the conclusions of the invalidity committee. Articles 55 and 56 shall apply *mutatis mutandis*. If the former Member fails to appoint a doctor to represent him or her in the invalidity committee, Article 56(1), second subparagraph, shall apply.

Chapter 4 **SURVIVOR'S PENSION AND ORPHAN'S PENSION**

Article 58

Entitlement to a survivor's pension or orphan's pension

1. The surviving spouse and any children who, at the time of the death of a Member or former Member who was entitled to or was in the process of acquiring an entitlement to an old-age or invalidity pension, were dependent on him or her, shall be entitled to a survivor's pension and orphans' pensions respectively.
2. For the purpose of the application of the provisions of this chapter, stable non-marital partners shall be treated in the same way as spouses, on condition that the couple produce an official document recognised as such by a Member State or by any competent authority of a Member State acknowledging their status as non-marital partners.
3. The term 'dependent child' means the legitimate, natural or adopted child of a Member, or Member's spouse, who was actually being maintained by the Member or former Member. The term 'dependent child' also means an unborn child or a child in respect of whom the Member or former Member has started an adoption procedure and whose adoption is completed after his or her death.

Article 59

Calculation of the survivor's pension and orphan's pension

1. The maximum amount of the survivor's pension and the orphan's pension may not exceed the amount of the old-age pension to which the Member would have been entitled at the end of the parliamentary term, taking into account the period which passes between the date of death and the date of the end of the parliamentary term.
2. In the case of former Members, the maximum amount of the survivor's and the orphan's pension may not exceed the amount of the old-age pension which the Member was receiving or to which he or she would have been entitled.
3. The amount of the survivor's pension for the surviving spouse shall be 60% of the amount referred to in paragraph 1 or 2 and, at the minimum, 30% of the salary referred to in Article 10 of the Statute, even if the latter amount exceeds the amounts referred to in paragraphs 1 and 2.

The entitlement to a survivor's pension for the surviving spouse shall not be affected by remarriage. This entitlement to a survivor's pension shall not exist if the circumstances of the individual case indicate beyond reasonable doubt that the marriage was contracted for the sole purpose of obtaining the pension. If the occasion arises, this situation shall be assessed on the basis of facts verifiable from sources available to the public, in the light of the circumstances of each case and after an investigation in which each side has the opportunity to submit its case and reply to the case of the other side.

4. The amount of the orphan's pension for a dependent child shall be 20% of the amount referred to in paragraph 1 or 2.
5. Where the number of children exceeds two, the maximum amount of the orphans' pensions which may be awarded shall be shared equally among the orphans entitled to them.
6. Where applicable, the maximum amount of the pension to be paid shall be shared between the spouse and the dependent children in accordance with the percentages laid down in paragraphs 3, 4 and 5.

Article 60

Expiry

1. A survivor's or orphan's pension shall be awarded with effect from the first day of the calendar month following decease.
2. In the event of the death of the beneficiary, the entitlement to a survivor's pension shall lapse at the end of the month in which the beneficiary dies.
3. The entitlement to an orphan's pension shall lapse at the end of the month in which the orphan reaches the age of 21.

However, this entitlement shall be extended for the duration of the orphan's education or vocational training and, at the maximum, until the end of the month in which he or she reaches the age of 25.

An orphan's pension shall continue to be paid to an orphan who is unable to support himself or herself on account of sickness or infirmity. The sickness or infirmity must be recognised by Parliament's doctor. The beneficiary may contest the doctor's decision by requesting a meeting of a committee constituted in accordance with the rules laid down for the invalidity committee referred to in Annex II, section 3, to Regulation (EEC, Euratom, ECSC) No 259/68.

This entitlement shall lapse if the child becomes able to support himself or herself again. To that end, Parliament may require him or her to undergo examination every five years by a doctor appointed to check whether he or she still meets the conditions governing eligibility for a pension.

TITLE III
GENERAL AND FINAL PROVISIONS

Chapter 1
PAYMENT ARRANGEMENTS

Article 61

Compliance with the Financial Regulation

1. The implementation of these implementing measures and any application for payment submitted under these implementing measures shall be consistent with the provisions of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities¹⁶ (hereinafter referred to as ‘the Financial Regulation’).
2. Where these implementing measures provide for the conclusion of contracts between Parliament and third parties, the competent authorising officer shall be empowered to sign them.

Article 62

Principle of the use of funds

1. The sums paid pursuant to these implementing measures, on the basis of the provisions of Title I, Chapters 4, 5 and 6, shall be reserved exclusively for the funding of activities linked to the exercise of a Member’s mandate and may not be used to cover personal expenses or to fund grants or donations of a political nature.
2. Members shall pay back any unused amounts to Parliament except where they are defrayed in the form of a lump sum.

Article 63

Bank transfer, currencies and conversion rate

1. Payments under these implementing measures shall be made by bank transfer in accordance with the provisions of Directive 2007/64/EC of the European Parliament and of the Council of 13 November 2007 on payment services in the internal market¹⁷. Parliament shall bear the charges payable by the payer. Any other charges shall be payable by the payee.
2. Payments shall be made in euros, unless the recipient, who was elected or who has his or her place of residence in a Member State which does not belong to the eurozone, requests full or part payment in the currency of that Member State.
3. Conversions between the euro and other currencies shall be carried out using the monthly accounting rate for the euro fixed in accordance with Commission Regulation (EC, Euratom)

¹⁶ OJ L 248, 16.9.2002, p. 1.

¹⁷ OJ L 319, 5.12.2007, p. 1.

No 2342/2002 of 23 December 2002 laying down detailed rules for implementing the Financial Regulation¹⁸.

4. In respect of payments of parliamentary assistance expenses, by way of derogation from paragraph 3 conversions between the euro and other currencies shall be carried out using the monthly accounting rate for the euro for the December of the preceding year. However, over the course of a parliamentary term the maximum monthly defrayal to a Member denominated in a national currency may not, following annual index-linking and any increase decided on by the Bureau, be lower than the amount fixed for the previous year.

Article 64

Bank accounts

1. On taking up his or her duties, each Member shall forward to Parliament's relevant department details (IBAN number, BIC (SWIFT) code and address of the bank) of one or more accounts in his or her name intended to receive payments in respect of the salary provided for in Article 10 of the Statute, the other allowances and the reimbursement of other expenses.

Unless the Member or former Member or his or her successors in right and title issue instructions to the contrary, the account opened to receive the salary provided for in Article 10 of the Statute shall also be used to receive payments in respect of the transitional allowance and pensions.

2. Any payment to a person other than the Member shall be contingent on prior submission of a document issued by the recipient's bank confirming that he or she is the holder of the account into which payment is to be made and setting out the IBAN number of the account, the BIC (SWIFT) code and the address of the bank.
3. As regards payments in connection with parliamentary assistance, the Member shall forward details of the personal staff member's bank account to the paying agent or, in the case referred to in Article 36(5), to the relevant department. The personal staff member's bank account shall be opened in the Member State where he or she primarily carries out his or her duties. The payments shall be denominated in the currency in which the personal staff member's salary or fees are fixed.

The paying agent shall forward details of his bank account to the relevant department.

Article 65

Payment date

1. The salary provided for in Article 10 of the Statute, the transitional allowance and pensions shall be paid on the 15th day of the month for the current month. The general expenditure allowance shall be paid on the first day of the month for the current month.

¹⁸ OJ L 357, 31.12.2002, p. 1.

2. Payments in respect of parliamentary assistance expenses shall be made to the paying agent or, in the case referred to in Article 36(4) and (5), the local assistant on the 15th day of the month for the current month.

These payments shall reflect the instructions given by Members up to the 25th day of the preceding month.

3. Other expenses shall be reimbursed on submission of the documents required by these implementing measures.
4. The deadlines for submitting the documents required by these implementing measures shall be as follows:
 - (a) in respect of travel and subsistence expenses and allowances: at the latest by 31 October of the calendar year following that in which the journey concerned started;
 - (b) in respect of parliamentary assistance expenses and other expenses: prior to the closing date laid down by the applicable provisions and at the latest by 7 December of the budgetary year for which defrayal is being requested.
5. The Secretary-General may make specific arrangements concerning advance payments in respect of ordinary travel expenses and subsistence expenses.

Chapter 2 REGULARISATION AND RECOVERY

Article 66

Alternative supporting documents

In the event of the loss of the requisite supporting documents, a Member must submit a declaration of loss accompanied by original alternative supporting documents consistent with the requirements laid down in these implementing measures.

Article 67

Suspension of payment

If a Member or a paying agent fails to meet his or her obligations under these implementing measures or the contract concluded pursuant to Article 35, the competent authorising officer may order suspension of the payment of all or part of the allowance concerned, taking due account of any legitimate interests of third parties, for the period required to enable the Member or paying agent to meet his or her obligations or to assess the advisability of applying Article 68.

Prior to any such decision, the Member or paying agent shall be notified in writing and shall have one month in which to comply with these implementing measures or the contract. Copies of the letter shall be forwarded to the Quaestors and, where appropriate, to any third party concerned.

Article 68

Recovery of undue payments

1. Any sum unduly paid pursuant to these implementing measures shall be recovered. The Secretary-General shall issue instructions with a view to recovery of the sums in question from the Member concerned.
2. Any decision concerning the recovery of undue payments shall be consistent with the requirement that Members should be able to exercise their mandate effectively and with the smooth running of Parliament. Before any decision is taken, the Member concerned shall be heard by the Secretary-General.
3. This article shall also apply to former Members and third parties.

Chapter 3

OTHER GENERAL FINANCIAL PROVISIONS

Article 69

Index-linking

1. The amounts referred to in Article 15, point (c), and Articles 20, 22(1) and (3), 24(2) and 26(2) may be index-linked annually by the Bureau up to a maximum increase equal to the annual inflation rate in the European Union in October of the previous year, as published by Eurostat.
2. Where appropriate, the amount referred to in Article 33(4) shall be index-linked annually by the Bureau on the basis of the joint index established by Eurostat, by agreement with the national statistical offices of the Member States, pursuant to Article 65 of Regulation (EEC, Euratom, ECSC) No 259/68. That index-linking may be backdated to the July of the year to which the index relates.

Article 70

Taxation

In accordance with the conditions laid down in Article 12 of the Statute, Regulation (EEC, Euratom, ECSC) No 260/68 of the Council of 29 February 1968 laying down the conditions and procedure for applying the tax for the benefit of the European Communities¹⁹ shall apply to Members.

¹⁹ OJ L 56, 4.3.1968, p. 8.

Article 71

Attachment

1. The salary provided for in Article 10 of the Statute, the transitional allowance or the old-age pension may be the subject of an attachment order, up to a maximum of one-third of the sum involved, on the basis of a decision by the courts or by the competent administrative authority.
2. The Secretary-General shall issue instructions with a view to the implementation of such a measure. Those instructions shall be consistent with the requirement that Members should be able to exercise their mandate effectively and with the smooth running of Parliament. Before any such instructions are issued, the Member concerned shall be heard.

Chapter 4 FINAL PROVISIONS

Article 72

Complaints

1. A Member who takes the view that these implementing measures have not been correctly applied to him or her by the competent service may address a written complaint to the Secretary-General.

The decision of the Secretary-General on the complaint shall state the reasons on which it is based.

2. A Member who does not agree with the decision of the Secretary-General may, within two months after notification of the Secretary-General's decision, request that the matter be referred to the Quaestors, who shall take a decision after consulting the Secretary-General.
3. If a party to the complaint procedure does not agree with the decision adopted by the Quaestors, he or she may, within two months after notification of that decision, request that the matter be referred to the Bureau, which shall take the final decision.
4. This article shall also apply to a Member's legal successor as well as to former Members and their legal successors.

Article 73

Entry into force

These implementing measures shall enter into force on the same date as the Statute.

Article 74

Abrogation

Subject to the transitional provisions laid down in Title IV, the PEAM Rules shall cease to be valid on the date on which the Statute enters into force.

TITLE IV TRANSITIONAL PROVISIONS

Article 75

Survivor's pension, invalidity pension and old-age pension

1. The survivor's pension, the invalidity pension, the additional invalidity pension granted for dependent children and the old-age pension paid pursuant to Annexes I, II and III to the PEAM Rules shall continue to be paid pursuant to those annexes to those persons who were in receipt of the benefits in question prior to the date of entry into force of the Statute.

Where a former Member in receipt of the invalidity pension dies after 14 July 2009, the survivor's pension shall be paid to his or her spouse, stable non-marital partner or dependent children, subject to the conditions laid down in Annex I to the PEAM Rules.

2. The old-age pension rights acquired prior to the date of entry into force of the Statute pursuant to the aforementioned Annex III shall be maintained. Persons who have acquired rights under that pension scheme shall receive a pension calculated on the basis of their acquired rights pursuant to the aforementioned Annex III as soon as they meet the relevant conditions laid down by the national law of the Member State concerned and they have submitted the application referred to in Article 3(2) of the aforementioned Annex III.

Article 76

Additional pension

1. The (voluntary) additional old-age pension paid pursuant to Annex VII to the PEAM Rules shall continue to be paid pursuant to that annex to those persons who were in receipt of that pension prior to the date of entry into force of the Statute.
2. The pension rights acquired prior to the date of entry into force of the Statute pursuant to the aforementioned Annex VII shall be maintained. They shall be honoured in accordance with the conditions laid down by that annex.
3. Members elected in 2009:
 - (a) who were Members during a previous parliamentary term, and
 - (b) who have already acquired or were in the process of acquiring rights in the additional pension fund, and

- (c) in respect of whom the Member State of election has adopted a derogation pursuant to Article 29 of the Statute, or who, pursuant to Article 25 of the Statute, have themselves opted for a national scheme, and
- (d) who are not entitled to a national or European pension deriving from the exercise of their mandate as Members of the European Parliament

may continue to acquire new rights after the date of entry into force of the Statute, pursuant to the aforementioned Annex VII.

- 4. Members must pay their contributions to the additional pension fund from their own income.

Article 77

Transitional allowance

- 1. The transitional allowance granted pursuant to Annex V to the PEAM Rules shall continue to be paid, pursuant to that annex, to those persons who were in receipt of the allowance prior to the date of entry into force of the Statute.
- 2. Members who definitively cease to exercise their parliamentary mandate at the end of the sixth parliamentary term shall be paid the transitional allowance provided for in the aforementioned Annex V.
- 3. For those Members who receive the salary provided for in Article 10 of the Statute and whose term of office ends after the date of entry into force of the Statute, the period during which they exercised their mandate prior to that date shall be taken into account when calculating the amount of the transitional allowance granted pursuant to Article 13 of the Statute.
- 4. However, the Members referred to in paragraph 3 may ask that the pro rata amount of the transitional allowance should be calculated, in respect of the part of their term of office which precedes the date of entry into force of the Statute, in accordance with the rules laid down in Annex V to the PEAM Rules. The period taken into account when calculating that pro rata amount shall be deducted from the maximum period laid down in Article 13(2) of the Statute.

Article 78

Arrangements for assistants

- 1. Paragraph 1 is deleted.
- 2. Parliamentary assistants who are accredited in one of the three places of work prior to the entry into force of these implementing measures and are employed on the basis of a contract concluded under national law and registered by the relevant department on 1 July 2008 which guarantees them acquired social rights may, at their request, have that contract renewed or extended for a transitional period corresponding to one parliamentary term.
- 3. By way of derogation from Article 43, point (d), contracts concluded directly or indirectly with the members of Members' families before 1 July 2008 may continue in force for a transitional

period corresponding to the parliamentary term following the entry into force of the Statute, provided that the relevant tax and social security obligations have been duly met.

Members shall be required to give details of any such directly or indirectly concluded contracts in their declarations of financial interests.

Article 79

Life assurance

The procedures concerning continuation, conversion or payment of the surrender value of life assurance policies laid down in Article 19(2) of the PEAM Rules in the event of cessation of duties shall apply, under the terms of the insurance policy, to all current Members until the end of the sixth parliamentary term, provided that they have paid premiums for a period of at least two years.

Article 80

Assistance for seriously disabled children

The benefits paid pursuant to Article 21b of the PEAM Rules shall continue to be paid pursuant to that Article to those Members who were in receipt of them and who are re-elected in 2009.

Article 81

Members covered by Article 25 or Article 29 of the Statute

1. Members re-elected in 2009 who have exercised the right conferred on them by Article 25 of the Statute shall be paid the salary, the transitional allowance, the old-age pension, the invalidity pension and the survivor's pension in respect of the period after the entry into force of the Statute only in accordance with the conditions laid down by their national laws, the cost to be debited solely to the budget of the Member State concerned.

In addition, the Members referred to in the first subparagraph may ask Parliament to pay the transitional allowance for the part of their term which precedes the entry into force of the Statute; in accordance with the rules laid down in Annex V to the PEAM Rules.

2. This arrangement shall also apply to Members in respect of whom their Member State of election has adopted a derogation pursuant to Article 29 of the Statute.
3. By way of derogation from Article 7(2), in the case of Members in respect of whom their Member State of election has adopted a derogation pursuant to Article 29 of the Statute or who, pursuant to Article 25 of the Statute, have themselves opted for a national scheme, the one-third part of the insurance premium payable by Members shall be paid directly and individually from a personal account.
4. By way of derogation from Article 3(1), former Members who are in receipt of a national pension, pursuant to Article 25 or Article 29 of the Statute, shall be entitled to reimbursement of two-thirds of their medical expenses, of pregnancy-related expenses or of expenses relating

to the birth of a child in accordance with the conditions laid down in these implementing measures if they do not enjoy primary cover against the risk of illness.

Article 82

Transitional regime for the waiver of reimbursement of medical expenses

Members who, under Article 3(4), waive their right to reimbursement of medical expenses by 15 March 2011 shall be reimbursed under the conditions laid down in that paragraph, with retrospective effect from 14 July 2009 or else starting from the first month following the date of the last reimbursement of medical expenses made under Article 3(1).