



Northern Ireland Act 1998

1998 CHAPTER 47

PART IV

THE NORTHERN IRELAND ASSEMBLY

Remuneration and pensions

[^{F1}47B Secretary of State's powers in relation to reduction of remuneration

[^{F2}(1) This section applies if—

- (a) the Monitoring Commission has, or members of that Commission have under the agreement establishing it, made a report containing a recommendation about steps the Assembly might consider taking;
 - (b) the taking of those steps by the Assembly requires the passing by it of a resolution under section 47A(1), (2), (3) or (4) in relation to a Minister, junior Minister or political party; and
 - (c) the first motion for a resolution under that provision in relation to the Minister, junior Minister or political party concerned that is put to the vote after the making of the report does not attract cross-community support.
- (2) Where this section applies because of the failure of a motion for a resolution under section 47A(1), the Secretary of State may, in relation to the salary payable under section 47 to the Minister or junior Minister concerned, by direction provide that the whole or a specified part of the salary payable for a specified period shall not be payable (subject to subsection (4)).
- (3) Where this section applies because of—
- (a) the failure of a motion for a resolution under section 47A(3) to extend a period by reference to which a reduction under section 47A(1) falls to be made, or
 - (b) the failure of a motion for a resolution under section 47A(4) to extend a period by reference to which provision for non-payability under subsection (2) applies,

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland Act 1998, Section 47B. (See end of Document for details)

the Secretary of State may, before the end of that period, by direction extend that period (subject to subsection (4)).

- (4) The Secretary of State may exercise the power under subsection (2) or (3) only if he is satisfied that the Minister or junior Minister concerned—
- (a) is not committed to non-violence and exclusively peaceful and democratic means; or
 - (b) has failed to observe any other terms of the pledge of office.

- (5) Where this section applies because of the failure of a motion for a resolution under section 47A(2), the Secretary of State may, in relation to the salaries payable under section 47 to members of the Assembly who are members of the political party concerned, by direction provide that the whole or a specified part of the salaries payable for a specified period shall not be payable (subject to subsection (7)).

- (6) Where this section applies because of—
- (a) the failure of a motion for a resolution under section 47A(3) to extend a period by reference to which a reduction under section 47A(2) falls to be made, or
 - (b) the failure of a motion for a resolution under section 47A(4) to extend a period by reference to which provision for non-payability under subsection (5) applies,

the Secretary of State may, before the end of that period, by direction extend that period (subject to subsection (7)).

- (7) The Secretary of State may exercise the power under subsection (5) or (6) only if he is satisfied that the political party concerned—
- (a) is not committed to non-violence and exclusively peaceful and democratic means; or
 - (b) is not committed to such of its members as are or might become Ministers or junior Ministers observing the other terms of the pledge of office.

- (8) The period by reference to which provision for non-payability under subsection (2) or (5) applies shall come to an end if—
- (a) the Secretary of State by direction so provides; or
 - (b) the Assembly is dissolved.

- (9) In subsection (1)(a) “the Monitoring Commission” means the Commission mentioned in section 1 of the Northern Ireland (Monitoring Commission etc.) Act 2003.

- (10) In this section a reference to—
- (a) the period by reference to which provision for non-payability under subsection (2) or (5) applies, or
 - (b) the period by reference to which a reduction under section 47A(1) or (2) falls to be made,
- is, where the period has been extended, a reference to the period as extended.]]

Textual Amendments

F1 Ss. 47A-47C inserted (7.1.2004) by Northern Ireland (Monitoring Commission etc.) Act 2003 (c. 25), ss. 7(1), 12; S.I. 2004/83, art. 2

F2 S. 47B ceases to have effect (31.3.2011 at the end of the day) by virtue of Northern Ireland (Monitoring Commission etc.) Act 2003 (c. 25), s. 12(2)(3); S.I. 2011/978, art. 2

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland Act 1998, Section 47B. (See end of Document for details)

Modifications etc. (not altering text)

- C1** S. 47B modified (temp.) (21.4.2004) by [The Northern Ireland Act 1998 and Northern Ireland Act 2000 \(Modification\) Order 2004 \(S.I. 2004/1164\)](#), **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Northern Ireland Act 1998, Section 47B.