

**EXPLANATORY MEMORANDUM TO
THE LANDS TRIBUNAL (SALARIES) ORDER (NORTHERN IRELAND)
2009**

2009 No. 253

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department of Finance and Personnel (DFP) to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Section 2(5) of the Lands Tribunal and Compensation Act (Northern Ireland) 1964, as amended by Article 4 of the Northern Ireland Act 1998 (Modifications of Enactments) Order 2002 and is subject to the draft affirmative resolution procedure.

2. Purpose

- 2.1. This Order provides for changes in the annual salary payable to the President and any other member of the Lands Tribunal for Northern Ireland following recommendations made in the Report of the Review Body on Senior Salaries in 2009 (TSO CM 7556). In reaching its recommendations, the Review Body takes account of various considerations including, the need to recruit and retain suitably qualified people, regional variations in labour markets and Government policies for improving public services. The Prime Minister announced in a Written Ministerial Statement on 31 March 2009 that the Government had decided that judicial salaries will be increased by 1.5 per cent from 1 April 2009.
- 2.2. It is unlikely that there will be public interest arising from the Order.

3. Background

- 3.1. The Lands Tribunal is a Court of Record established under the Lands Tribunal and Compensation Act (NI) 1964. The Tribunal consists of a President and one Member, both of whom are appointed by the Lord Chancellor. Under the 1964 Act, the Department of Finance and Personnel has responsibility for appointing staff to assist the Tribunal in performing its functions and for determining their remuneration. DFP also has various rulemaking responsibilities in relation to the Tribunal's jurisdiction and proceedings.

4. Consultation

- 4.1. Consultation has not been considered necessary as the Order is the legislative vehicle required to implement the Government's decision in relation to judicial salaries.

5. Equality Impact

- 5.1. There are no equality impact implications.

6. Regulatory Impact

6.1. The Order has no direct impact on businesses, charities or voluntary bodies.

7. Financial Implications

7.1. Additional salary costs resulting from the Order will be met within existing budgets.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Order is compatible with Section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. This Order applies to Northern Ireland only.

11. Additional Information

11.1. For further information contact Norman Irwin at the Department of Finance and Personnel Tel: 02890 529147 or e-mail norman.irwin@dfpni.gov.uk.