

**EXPLANATORY MEMORANDUM TO
THE LANDS TRIBUNAL (SALARIES) ORDER (NORTHERN IRELAND)
2013**

SR 2013 No. 239

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department of Justice (DOJ) 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 section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962 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 a recommendation contained in the Senior Salaries Review Body 35th Annual Report regarding the increase in salaries of the Lands Tribunal (TSO CM 8569). 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 14 March 2013 that the Government had decided that judicial salaries will be increased by 1 per cent from 1 April 2013. It is unlikely that there will be public interest arising from the Order.
- 2.2. As a consequence of the Order there will be a 1% fee increase for the Tribunal temporary member for the duration of his tenure.

3. Background

- 3.1. The Lands Tribunal is a Court of Record established under the Lands Tribunal and Compensation Act (NI) 1964 as amended by Article 4 of the Northern Ireland Act 1998 (Modifications of Enactments) Order 2002. The Tribunal consists of a President and one Member. There is currently also one temporary Member who is not salaried. All Members are appointed by the Northern Ireland Judicial Appointments Commission. Under the 1964 Act, the Department of Justice has responsibility for appointing staff to assist the Tribunal in performing its functions and for determining their remuneration. DoJ 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 a recommendation of the Senior

Salaries Review Body 35th Annual Report, regarding the increase in salaries of the Lands Tribunal which was subject to consultation.

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 Civil Justice Policy & Legislation Division at the Department of Justice on 028 9016 9548 or civiljusticepolicyandlegislationdivision@dojni.x.gsi.gov.uk