



# Northern Ireland Assembly Members (Pay) Act 2018

CHAPTER 7

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Explanatory Notes have been produced to assist in the understanding of this Act and are available separately

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## CHAPTER 7

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# Northern Ireland Assembly Members (Pay) Act 2018

## 2018 CHAPTER 7

An Act to confer power on the Secretary of State to determine salaries and other benefits for Members of the Northern Ireland Assembly in respect of periods when there is no Executive. [28th March 2018]

**B**E IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### **1 Remuneration of Northern Ireland Assembly members**

- (1) The Secretary of State may make a determination as to the salaries or allowances payable under section 47 of the Northern Ireland Act 1998 for a period when there is no Executive.
- (2) The Secretary of State may make a determination as to allowances or gratuities payable under section 48 of the Northern Ireland Act 1998 to or in respect of a person ceasing to be a member, or ceasing to hold office, during a period when there is no Executive.
- (3) The power to make a determination under subsection (1) or (2) ceases on the first occasion after the passing of this Act on which all of the Ministerial offices are filled (but this does not affect the continuing validity of a determination made and not revoked before that time).
- (4) A determination under subsection (1) or (2) must be in writing.
- (5) As soon as possible after a determination under subsection (1) or (2) is made—
  - (a) the Secretary of State must send it to the Northern Ireland Assembly Commission, and
  - (b) the Commission must publish it.

- (6) Section 12 of the 2011 Act (content of determinations) applies to a determination under subsection (1) of this section as it applies to a determination under section 2(1)(a) of that Act.
- (7) For the purposes of any determination under section 2(1)(b) of the 2011 Act so far as relating to pensions, members are to be treated as having whatever salary they would have apart from any determination under subsection (1) of this section.
- (8) A determination under this section –
- (a) may amend a determination under section 2(1) of the 2011 Act;
  - (b) may be revoked by such a determination.
- (9) In this section –
- “the 2011 Act” means the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011;
  - “the Ministerial offices” means –
    - (a) the offices of First Minister and deputy First Minister, and
    - (b) the Ministerial offices to be held by Northern Ireland Ministers (within the meaning of the Northern Ireland Act 1998);
  - “period when there is no Executive” means –
    - (a) the period beginning when this Act is passed and ending on the next occasion when all of the Ministerial offices are filled, and
    - (b) any later period beginning when the duty in section 32(3) of the Northern Ireland Act 1998 arises and ending on the next following occasion when all of the Ministerial offices are filled.

## **2 Extent, commencement and short title**

- (1) This Act extends to England and Wales, Scotland and Northern Ireland.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Northern Ireland Assembly Members (Pay) Act 2018.



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ISBN 978-0-10-570007-4



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