



2000 CHAPTER 3

Resettlement allowance for members

- 1.—(1) Any person who—
- (a) is a member of the Assembly immediately before its dissolution; and
 - (b) at the general election consequent upon the dissolution either—
 - (i) does not stand for election to the Assembly, or
 - (ii) if he does, is not returned as a member,
- shall be entitled to receive payment of an allowance under this section.
- (2) The amount of the allowance shall be equal to the relevant percentage of that person's salary as a member immediately before the dissolution.
- (3) For the purposes of subsection (2)—
- “salary as a member” has the same meaning as in the Assembly Members' Pension Scheme (Northern Ireland) 2000 (set out in the Schedule to the Assembly Members' Pensions Determination 2000, made by the Secretary of State under section 48 of the Northern Ireland Act 1998 (c. 47) by virtue of paragraph 9 of the Schedule to the Northern Ireland Act 2000 (c. 1));
- “the relevant percentage”, in relation to a person, is that shown in the Schedule in relation to—
- (a) the person's age at the dissolution; and
 - (b) the number of complete years of his service as a member of the Assembly at the dissolution.
- (4) In determining a person's length of service as a member of the Assembly—
- (a) any period of service on or after 25th June 1998 shall be taken into account; but

- (b) any period which was taken into account (or disregarded) in calculating the amount of allowance previously payable to him under this section or section 2 shall be disregarded.

Ill-health retirement allowance for members

2.—(1) Any person who, on or after 2nd December 1999, ceases to be a member of the Assembly by resigning his seat on grounds of ill-health before attaining the age of 65 may apply to the Northern Ireland Assembly Commission (in this Act referred to as “the Commission”) for payment of an allowance under this section.

(2) If on an application under subsection (1) the Commission is satisfied that—

- (a) the applicant does not intend to seek re-election to the Assembly;
- (b) his ceasing to be a member was a direct consequence of his ill-health;
- (c) his ill-health is such as would prevent him from performing adequately the duties of a member of the Assembly; and
- (d) he is not entitled to receive an allowance under section 1,

the applicant shall be entitled to receive payment of an allowance under this section equal to the amount which would have been payable under section 1 had that section been applicable to him on his ceasing to be a member of the Assembly.

(3) Every application under subsection (1) shall be accompanied by evidence from a medical practitioner of the applicant’s state of health.

(4) In the case of any such application the Commission may require the applicant to undergo a medical examination by a medical practitioner nominated by it for the purpose; and the fees for any such examination shall be borne by the Commission or the applicant, as the Commission may determine.

Winding up allowance

3.—(1) An allowance shall be payable under this section to, or in respect of, a person who, on or after 2nd December 1999, ceases (whether on death or otherwise) to be a member of the Assembly.

(2) Subject to subsection (3), the allowance payable under this section to, or in respect of, a person shall be an amount equal to the expenses necessarily incurred—

- (a) after the date on which he ceased to be a member; but
- (b) in connection with the performance of his Assembly duties.

(3) The allowance payable under this section to, or in respect of, a person shall not exceed £11,617 or such other amount as the Commission may by order specify.

(4) An order under this section shall not be made unless a draft of the order has been laid before and approved by resolution of the Assembly.

(5) The Commission shall be a rule-making authority for the purposes of the [Statutory Rules \(Northern Ireland\) Order 1979 \(NI 12\)](#) and accordingly in Part I of the Schedule to that Order after the entry relating to the Foyle, Carlingford and Irish Lights Commission there shall be inserted—
“The Northern Ireland Assembly Commission”.

(6) An allowance under this section in respect of a person who has died shall be payable to such person as the Commission may determine.

Payment of allowance

4. Any allowance payable under this Act shall be paid by the Commission.

Short title

5. This Act may be cited as the Allowances to Members of the Assembly Act (Northern Ireland) 2000.