



# Northern Ireland Assembly Members Act 2010

## 2010 CHAPTER 16

### 1 Salaries and allowances

- (1) Section 47 of the Northern Ireland Act 1998 (salaries and allowances of members of the Northern Ireland Assembly) is amended as follows.
- (2) In subsections (1) and (2), for “the Assembly may from time to time determine” substitute “may from time to time be determined”.
- (3) After subsection (2) insert—
  - “(2A) The Assembly may make provision—
    - (a) determining the salaries or allowances payable to members of the Assembly under this section, or
    - (b) providing for those salaries or allowances to be determined by a person other than the Assembly in accordance with the provision.
  - (2B) Different provision may be made for different cases (for example, provision for higher salaries to be payable to Ministers or other office holders).”
- (4) Omit subsections (3), (5) and (6).
- (5) For subsection (4) substitute—
  - “(4) Provision under subsection (2A) must ensure that, if a salary is payable to a member of the Assembly (“M”) as a member of either House of Parliament or as a member of the European Parliament—
    - (a) if M does not hold an office within subsection (9A), no salary is payable to M under this section;
    - (b) if M holds an office within subsection (9A), the salary which would otherwise be payable to M under this section is reduced by the appropriate amount.
  - (4A) The appropriate amount is the amount of the salary payable under this section to members of the Assembly generally.”

- (6) Omit subsection (7).
- (7) In subsection (8), for “under this section” substitute “of salaries or allowances by provision under subsection (2A)(a)”.
- (8) After that subsection insert—
- “(8A) Provision under subsection (2A)(b) must include provision for the publication of every determination of salaries or allowances under that provision.”
- (9) In subsection (9)(b), for “such an office as is mentioned in subsection (3)(a)” substitute “an office within subsection (9A)”.
- (10) After subsection (9) insert—
- “(9A) An office is within this subsection if the salary payable under this section to a member of the Assembly holding the office is higher than the salary payable under this section to members of the Assembly generally.”
- (11) In subsection (10)(a), for “such an office as is mentioned in subsection (3)(a)(i) to (iii)” substitute “office as a Minister or junior Minister, as Presiding Officer or deputy or as a member of the Northern Ireland Assembly Commission”.
- (12) After subsection (10) insert—
- “(10A) The provision which may be made by the Assembly for the purposes of this section includes provision—
- (a) by a resolution of the Assembly conferring functions on the Northern Ireland Assembly Commission, or
  - (b) by an Act of the Assembly (which may include provision establishing an office or body, provision conferring functions on an office-holder or body and ancillary provision).”
- (13) In Schedule 4 to the Northern Ireland (St Andrews Agreement) Act 2006 (repeal of Northern Ireland Act 2000 and supplementary provision), in paragraph 2(1) for “The Northern Ireland Assembly may not make a determination under” substitute “No determination may be made under or by virtue of”.
- (14) Any determination under section 47 of the [Northern Ireland Act 1998](#) which is in force immediately before this section comes into force is to be treated as provision under section 47(2A)(a) of that Act; and if the determination does not make the provision required by section 47(4) (as substituted by this section) it has effect as if it made that provision.