



# Northern Ireland Act 1998

## 1998 CHAPTER 47

### PART IV

#### THE NORTHERN IRELAND ASSEMBLY

##### *Remuneration and pensions*

#### **47 Remuneration of members.**

- (1) The Assembly shall pay to members of the Assembly such salaries as [<sup>F1</sup>may from time to time be determined] .
- (2) The Assembly may pay to members of the Assembly such allowances as [<sup>F2</sup>may from time to time be determined] .

[<sup>F3</sup>(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).]

[<sup>F4</sup>(3) .....

[<sup>F5</sup>(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.

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*Status: Point in time view as at 05/07/2010. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Northern Ireland Act 1998, Section 47. (See end of Document for details)*

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(4A) The appropriate amount is the amount of the salary payable under this section to members of the Assembly generally.]

<sup>F6</sup>(5) .....

<sup>F7</sup>(6) .....

<sup>F8</sup>(7) .....

(8) Standing orders must include provision for the publication of every determination [<sup>F9</sup>of salaries or allowances by provision under subsection (2A)(a)] .

[<sup>F10</sup>(8A) Provision under subsection (2A)(b) must include provision for the publication of every determination of salaries or allowances under that provision.]

(9) For the purposes of this section—

- (a) a person's membership of the Assembly begins on the day on which he takes his seat in accordance with standing orders; and
- (b) a person's holding of [<sup>F11</sup>an office within subsection (9A)] begins on the day on which he takes up office.

[<sup>F12</sup>(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.]

(10) For the purposes of this section, a person who is a member of the Assembly immediately before the Assembly is dissolved shall be treated—

- (a) if he continues to hold [<sup>F13</sup>office as a Minister or junior Minister, as Presiding Officer or deputy or as a member of the Northern Ireland Assembly Commission] , as if he were a member of the Assembly until the end of the day on which he ceases to hold the office; and
- (b) if he does not fall within paragraph (a) but is nominated as a candidate at the subsequent general election, as if he were a member of the Assembly until the end of the day of the poll for that election.

[<sup>F14</sup>(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).]

(11) Any expenditure incurred by the Assembly under this section shall be defrayed out of money appropriated by Act of the Assembly.

#### Textual Amendments

- F1** Words in s. 47(1) substituted (5.7.2010) by Northern Ireland Assembly Members Act 2010 (c. 16), ss. 1(2), 3(3); S.I. 2010/1726, art. 2
- F2** Words in s. 47(2) substituted (5.7.2010) by Northern Ireland Assembly Members Act 2010 (c. 16), ss. 1(2), 3(3); S.I. 2010/1726, art. 2
- F3** S. 47(2A)(2B) inserted (5.7.2010) by Northern Ireland Assembly Members Act 2010 (c. 16), ss. 1(3), 3(3) (with s. 1(14)); S.I. 2010/1726, art. 2

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- F4** S. 47(3) omitted (5.7.2010) by virtue of Northern Ireland Assembly Members Act 2010 (c. 16), **ss. 1(4)**, 3(3); S.I. 2010/1726, art. 2
- F5** S. 47(4)(4A) substituted for s. 47(4) (5.7.2010) by Northern Ireland Assembly Members Act 2010 (c. 16), **ss. 1(5)**, 3(3) (with s. 1(14)); S.I. 2010/1726, art. 2
- F6** S. 47(5) omitted (5.7.2010) by virtue of Northern Ireland Assembly Members Act 2010 (c. 16), **ss. 1(4)**, 3(3); S.I. 2010/1726, art. 2
- F7** S. 47(6) omitted (5.7.2010) by virtue of Northern Ireland Assembly Members Act 2010 (c. 16), **ss. 1(4)**, 3(3); S.I. 2010/1726, art. 2
- F8** S. 47(7) omitted (5.7.2010) by virtue of Northern Ireland Assembly Members Act 2010 (c. 16), **ss. 1(6)**, 3(3); S.I. 2010/1726, art. 2
- F9** Words in s. 47(8) substituted (5.7.2010) by Northern Ireland Assembly Members Act 2010 (c. 16), **ss. 1(7)**, 3(3); S.I. 2010/1726, art. 2
- F10** S. 47(8A) inserted (5.7.2010) by Northern Ireland Assembly Members Act 2010 (c. 16), **ss. 1(8)**, 3(3); S.I. 2010/1726, art. 2
- F11** Words in s. 47(9)(b) substituted (5.7.2010) by Northern Ireland Assembly Members Act 2010 (c. 16), **ss. 1(9)**, 3(3); S.I. 2010/1726, art. 2
- F12** S. 47(9A) inserted (5.7.2010) by Northern Ireland Assembly Members Act 2010 (c. 16), **ss. 1(10)**, 3(3); S.I. 2010/1726, art. 2
- F13** Words in s. 47(10)(a) substituted (5.7.2010) by Northern Ireland Assembly Members Act 2010 (c. 16), **ss. 1(11)**, 3(3); S.I. 2010/1726, art. 2
- F14** S. 47(10A) inserted (5.7.2010) by Northern Ireland Assembly Members Act 2010 (c. 16), **ss. 1(12)**, 3(3); S.I. 2010/1726, art. 2

**Modifications etc. (not altering text)**

- C1** S. 47: Functions of Assembly made exercisable by Secretary of State (*temp.* 12.2.2000 - 30.5.2000) by 2000 c. 1, s. 1(8), **Sch. para. 9(1)**; S.I. 2000/396, **art. 2**, S.I. 2000/1445, art. 2
- C2** S. 47 restricted (30.5.2000) by 2000 c. 1, **s. 3(8)-(10)** (as inserted by S.I. 2000/1446, **art. 2(2)**)  
S. 47 restricted (12.2.2000) by 2000 c. 1, s. 1(8), **Sch. para. 9(3)**; S.I. 2000/396, **art. 2**
- C3** S. 47 modified (15.5.2003) by Northern Ireland Assembly (Elections and Periods of Suspension) Act 2003 (c.12), **s. 4**
- C4** S. 47 modified (26.1.2007) by Northern Ireland (St Andrews Agreement) Act 2006 (c. 53), **ss. 4**, 27 (with s. 1(3)); S.I. 2007/92, **art. 2**
- C5** S. 47(9)(a) modified (4.12.2003) by The Northern Ireland Act 1998 (Modification) Order 2003 (S.I. 2003/3039), **art. 2**

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Northern Ireland Act 1998, Section 47.