

Northern Ireland Act 1998

1998 CHAPTER 47

PART IV

THE NORTHERN IRELAND ASSEMBLY

Remuneration and pensions

48 Pensions of members.

- (1) The Assembly may make provision for the payment of pensions, gratuities or allowances to, or in respect of, any person who—
 - (a) has ceased to be a member of the Assembly; or
 - (b) has ceased to hold [FI an office within subsection (1A)] but continues to be a member of the Assembly.
- [F2(1A) An office is within this subsection if the salary payable under section 47 to a member of the Assembly holding the office is higher than the salary payable under that section to members of the Assembly generally.]
 - (2) Such provision may, in particular, include provision for—
 - (a) contributions or payments towards provision for such pensions, gratuities or allowances;
 - (b) the establishment and administration (whether by the Commission or otherwise) of one or more pension schemes.
- [F3(2A) Where any salary payable to a person under section 47 is not payable because of [F4section 47A], any provision made under this section for the payment of pensions which has effect in relation to him shall apply as if the salary were payable.]
 - (3) In this section—
 - "the Commission" means the Northern Ireland Assembly Commission; "provision" includes provision—

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland Act 1998, Section 48. (See end of Document for details)

- (a) by an Act of the Assembly [F5(which may include provision establishing an office or body, provision conferring functions on an office-holder or body and ancillary provision)]; or
- (b) by a resolution of the Assembly conferring functions on the Commission.
- (4) Any expenditure incurred by the Assembly under this section shall be defrayed out of money appropriated by Act of the Assembly.

Extent Information

E1 S. 48: functions of Assembly made exercisable by Secretary of State (temp. from 12.2.2000 to 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

Textual Amendments

- F1 Words in s. 48(1)(b) substituted (5.7.2010) by Northern Ireland Assembly Members Act 2010 (c. 16), ss. 2(2), 3(3); S.I. 2010/1726, art. 2
- **F2** S. 48(1A) inserted (5.7.2010) by Northern Ireland Assembly Members Act 2010 (c. 16), **ss. 2(3)**, 3(3); S.I. 2010/1726, art. 2
- F3 S. 48(2A) inserted (7.1.2004) by Northern Ireland (Monitoring Commission etc.) Act 2003 (c. 25), ss. 7(2), 12; S.I. 2004/83, art. 2
- F4 Words in s. 48(2A) substituted (1.4.2011) by Northern Ireland (Monitoring Commission etc.) Act 2003 (Cessation of Provisions) Order 2011 (S.I. 2011/978), arts. 1(2), 5(g)
- F5 Words in s. 48(3) inserted (5.7.2010) by Northern Ireland Assembly Members Act 2010 (c. 16), ss. 2(4), 3(3); S.I. 2010/1726, art. 2

Modifications etc. (not altering text)

- C1 S. 48 restricted (12.2.2000) by 2000 c. 1, s. 1(8), Sch. para. 9(3); S.I. 2000/396, art. 2
- C2 S. 48 applied (12.4.2010) by Justice (Northern Ireland) Act 2002 (c. 26), ss. 23(5), 87(1); S.R. 2010/113, art. 2, Sch. para. 3
- C3 S. 48 modified (28.3.2018) by Northern Ireland Assembly Members (Pay) Act 2018 (c. 7), ss. 1(2), 2(2) (with s. 1(3))
- C4 S. 48 modified (6.12.2022) by Northern Ireland (Executive Formation etc.) Act 2022 (c. 48), ss. 10(1) (b)(6), 14(2) (with s. 10(5))

Changes to legislation:

There are currently no known outstanding effects for the Northern Ireland Act 1998, Section 48.