

*These notes refer to the Northern Ireland (Monitoring Commission etc.)
Act 2003 (c.25) which received Royal Assent on 18th September 2003*

NORTHERN IRELAND (MONITORING COMMISSION ETC.) ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 7: Reduction of remuneration

New section 47B - Secretary of State's powers in relation to reduction of remuneration

33. The Secretary of State's powers in relation to the reduction of remuneration mirror those available to the Assembly.
34. New section 47B(1) provides that the Secretary of State may only exercise his power to provide for reduction of salary if :
 - The Commission makes a report under the terms of the Treaty which contains a recommendation about the steps that the Assembly might consider taking; and
 - The taking of those steps requires the Assembly to pass a resolution under section 47A(1),(2),(3) or (4); and
 - The first motion for a resolution to take those recommended steps does not attract cross-community support.
35. By direction, the Secretary of State may reduce in whole or part, for a specified period of time, a Minister or junior Minister's salary (if satisfied that either of the limbs of the test set out at paragraph 1616 above is met) (new section 47B(2) and (4)). He may also, by direction, reduce or withhold the salaries of all members of an Assembly political party (if satisfied that either of the limbs of the test set out at paragraph 1919 above is met) (new section 47B(5) and (7)).
36. The Secretary of State is also given power to extend, by direction, a period of reduced remuneration which he has imposed, or which the Assembly has imposed (new section 47B(3) and (6)).
37. The Secretary of State's powers to direct that remuneration be reduced for a specified period, and to extend that period, are subject to the same 12 month maximum as applies to the exercise of these powers by the Assembly (see paragraph 3131 above) (new section 47C).