



# National Assembly for Wales (Remuneration) Measure 2010

2010 nawm 4

## 13 Exercise of functions in relation to salaries

- (1) Subject to subsection (2), references in this section to a term of the [F<sup>1</sup>Senedd] are to the period which begins on the day on which a poll at [F<sup>2</sup>a Senedd] ordinary general election is held and which ends on the day before the day on which a poll at the next [F<sup>1</sup>Senedd] ordinary general election is held.
- (2) If—
  - (a) [F<sup>2</sup>a Senedd] extraordinary election is held, and
  - (b) section 5(5) of the Act applies,then, for the purposes of this section, a term of the [F<sup>1</sup>Senedd] ends on the day before the day on which the poll at that extraordinary general election is held, and the next term of the [F<sup>1</sup>Senedd] begins on the day on which that poll is held.
- (3) Subject to subsection (4) the Board may not make more than—
  - (a) one determination which makes provision under section 20(1) of the Act (payment of salaries to [F<sup>3</sup>Members of the Senedd]), and
  - (b) one determination which makes provision under section 53(1) of the Act (payment of salaries to the First Minister, Welsh Ministers, the Counsel General and Deputy Welsh Ministers),which is to have effect during each term of the [F<sup>1</sup>Senedd].
- (4) Subsection (3) does not apply if the Board is of the opinion that there are exceptional circumstances which make it just and reasonable that the restrictions imposed by subsection (3) should not apply.
- (5) If the Board forms an opinion of the kind referred to in subsection (4) it must state in writing its reasons for having done so, and communicate that statement to the [F<sup>1</sup>Senedd] Commission at the same time as the determination to which it relates.

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*Changes to legislation: There are currently no known outstanding effects for the National Assembly for Wales (Remuneration) Measure 2010, Section 13. (See end of Document for details)*

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- (6) The [F1Senedd] Commission must lay before the [F1Senedd] any statement communicated to it under subsection (5) at the same time as it lays before the [F1Senedd] the determination to which it relates.
- (7) The Board must, in relation to each term of the [F1Senedd], make a determination which makes provision under section 20(1) of the Act and which is to have effect, whenever made, from the beginning of that term.
- (8) The Board must, in relation to each term of the [F1Senedd], make a determination which makes provision under section 53(1) of the Act and which is to have effect, whenever made, from the beginning of that term.
- (9) The Board must, so far as is reasonably practicable, make the determinations referred to in subsections (7) and (8) before the end of the term of the [F1Senedd] which precedes that in relation to which they are to have effect but if it fails to do so the [F1Senedd] Commission must—
- (a) until such determinations are made, continue to make payments in accordance with the determinations which had effect in relation to that preceding term of the [F1Senedd], and
  - (b) when such determinations have been made, adjust any subsequent payments so as to make good any under-payment or recover any over-payment, as the case may be.

#### Textual Amendments

- F1** Word in Measure substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 4\(12\)](#) (with [Sch. 1 para. 4\(7\)\(8\)](#))
- F2** Words in Measure substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 4\(11\)](#) (with [Sch. 1 para. 4\(7\)\(8\)](#))
- F3** Words in Measure substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 4\(10\)](#) (with [Sch. 1 para. 4\(7\)\(8\)](#))

**Changes to legislation:**

There are currently no known outstanding effects for the National Assembly for Wales (Remuneration) Measure 2010, Section 13.