



# 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 Assembly are to the period which begins on the day on which a poll at an Assembly ordinary general election is held and which ends on the day before the day on which a poll at the next Assembly ordinary general election is held.
- (2) If—
  - (a) an Assembly extraordinary election is held, and
  - (b) section 5(5) of the Act applies,then, for the purposes of this section, a term of the Assembly ends on the day before the day on which the poll at that extraordinary general election is held, and the next term of the Assembly 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 Assembly members), 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 Assembly.
- (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 Assembly Commission at the same time as the determination to which it relates.

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*Status: This is the original version (as it was originally enacted).*

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- (6) The Assembly Commission must lay before the Assembly any statement communicated to it under subsection (5) at the same time as it lays before the Assembly the determination to which it relates.
- (7) The Board must, in relation to each term of the Assembly, 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 Assembly, 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 Assembly which precedes that in relation to which they are to have effect but if it fails to do so the Assembly 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 Assembly, 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.