



# Allowances to Members of the Assembly Act (Northern Ireland) 2000

CHAPTER 3

£2.00





# **Allowances to Members of the Assembly Act (Northern Ireland) 2000**

## **CHAPTER 3**

### **CONTENTS**

1. Resettlement allowance for members
2. Ill-health retirement allowance for members
3. Winding up allowance
4. Payment of allowance
5. Short title

Schedule                      Percentages of salary as a member





## Allowances to Members of the Assembly Act (Northern Ireland) 2000

### 2000 CHAPTER 3

An Act to make provision for the payment of allowances to or in respect of persons who have been members of the Northern Ireland Assembly.

[25th July 2000]

**B**E IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

#### **Resettlement allowance for members**

1.—(1) Any person who—

- (a) is a member of the Assembly immediately before its dissolution; and
- (b) at the general election consequent upon the dissolution either—
  - (i) does not stand for election to the Assembly, or
  - (ii) if he does, is not returned as a member,

shall be entitled to receive payment of an allowance under this section.

(2) The amount of the allowance shall be equal to the relevant percentage of that person's salary as a member immediately before the dissolution.

(3) For the purposes of subsection (2)—

“salary as a member” has the same meaning as in the Assembly Members' Pension Scheme (Northern Ireland) 2000 (set out in the Schedule to the Assembly Members' Pensions Determination 2000, made by the Secretary of State under section 48 of the Northern Ireland Act 1998 (c. 47) by virtue of paragraph 9 of the Schedule to the Northern Ireland Act 2000 (c. 1));

“the relevant percentage”, in relation to a person, is that shown in the Schedule in relation to—

- (a) the person’s age at the dissolution; and
- (b) the number of complete years of his service as a member of the Assembly at the dissolution.

- (4) In determining a person’s length of service as a member of the Assembly—
  - (a) any period of service on or after 25th June 1998 shall be taken into account; but
  - (b) any period which was taken into account (or disregarded) in calculating the amount of allowance previously payable to him under this section or section 2 shall be disregarded.

### **Ill-health retirement allowance for members**

2.—(1) Any person who, on or after 2nd December 1999, ceases to be a member of the Assembly by resigning his seat on grounds of ill-health before attaining the age of 65 may apply to the Northern Ireland Assembly Commission (in this Act referred to as “the Commission”) for payment of an allowance under this section.

- (2) If on an application under subsection (1) the Commission is satisfied that—
  - (a) the applicant does not intend to seek re-election to the Assembly;
  - (b) his ceasing to be a member was a direct consequence of his ill-health;
  - (c) his ill-health is such as would prevent him from performing adequately the duties of a member of the Assembly; and
  - (d) he is not entitled to receive an allowance under section 1,

the applicant shall be entitled to receive payment of an allowance under this section equal to the amount which would have been payable under section 1 had that section been applicable to him on his ceasing to be a member of the Assembly.

(3) Every application under subsection (1) shall be accompanied by evidence from a medical practitioner of the applicant’s state of health.

(4) In the case of any such application the Commission may require the applicant to undergo a medical examination by a medical practitioner nominated by it for the purpose; and the fees for any such examination shall be borne by the Commission or the applicant, as the Commission may determine.

### **Winding up allowance**

3.—(1) An allowance shall be payable under this section to, or in respect of, a person who, on or after 2nd December 1999, ceases (whether on death or otherwise) to be a member of the Assembly.

(2) Subject to subsection (3), the allowance payable under this section to, or in respect of, a person shall be an amount equal to the expenses necessarily incurred—

- (a) after the date on which he ceased to be a member; but
- (b) in connection with the performance of his Assembly duties.

(3) The allowance payable under this section to, or in respect of, a person shall not exceed £11,617 or such other amount as the Commission may by order specify.

(4) An order under this section shall not be made unless a draft of the order has been laid before and approved by resolution of the Assembly.

(5) The Commission shall be a rule-making authority for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (NI 12) and accordingly in Part I of the Schedule to that Order after the entry relating to the Foyle, Carlingford and Irish Lights Commission there shall be inserted—

“The Northern Ireland Assembly Commission”.

(6) An allowance under this section in respect of a person who has died shall be payable to such person as the Commission may determine.

**Payment of allowance**

4. Any allowance payable under this Act shall be paid by the Commission.

**Short title**

5. This Act may be cited as the Allowances to Members of the Assembly Act (Northern Ireland) 2000.

## SCHEDULE

## PERCENTAGES OF SALARY AS A MEMBER

Age	Number of complete years of service									
	<i>Under 10</i>	<i>10</i>	<i>11</i>	<i>12</i>	<i>13</i>	<i>14</i>	<i>15 or over</i>			
Under 50	50	50	50	50	50	50	50			
50	50	50	52	54	56	58	60			
51	50	52	55	58	62	65	68			
52	50	54	58	63	67	72	76			
53	50	56	62	67	73	78	84			
54	50	58	65	72	78	85	92			
55 to 64	50	60	68	76	84	92	100			
65	50	58	65	72	78	85	92			
66	50	56	62	67	73	78	84			
67	50	54	58	63	67	72	76			
68	50	52	55	58	62	65	68			

SCH.

Age	Number of complete years of service						
	Under 10	10	11	12	13	14	15 or over
69	50	50	52	54	56	58	60
70 or over	50	50	50	50	50	50	50

© Crown copyright 2000

Printed and published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office, being the Government Printer for Northern Ireland and the officer appointed to print the Acts of the Northern Ireland Assembly





**Published by The Stationery Office Limited**

and available from:

**The Publications Centre**

(Mail, telephone and fax orders only)

PO Box 276, London SW8 5DT

General enquiries 0870 600 55 22

Order through the Parliamentary Hotline *Lo-Call* 0845 7 023474

Fax orders 0870 600 5533

Email orders [bookorders@theso.co.uk](mailto:bookorders@theso.co.uk)

**The Stationery Office Bookshops**

123 Kingsway, London WC2B 6PQ

020 7242 6393 Fax 020 7242 6394

68-69 Bull Street, Birmingham B4 6AD

0121 236 9696 Fax 0121 236 9699

33 Wine Street, Bristol BS1 2BQ

0117 926 4306 Fax 0117 929 4515

9-21 Princess Street, Manchester M60 8AS

0161 834 7201 Fax 0161 833 0634

16 Arthur Street, Belfast BT1 4GD

028 9023 8451 Fax 028 9023 5401

The Stationery Office Oriel Bookshop

18-19 High Street, Cardiff CF1 2BZ

029 2039 5548 Fax 029 2038 4347

71 Lothian Road, Edinburgh EH3 9AZ

0870 606 5566 Fax 0870 606 5588

**The Parliamentary Bookshop**

12 Bridge Street, Parliament Square

London SW1A 2JX

Telephone orders 020 7219 3890

General enquires 020 7219 3890

Fax orders 020 7219 3866

**Accredited Agents**

(See Yellow Pages)

and through good booksellers

ISBN 0-10-595005-X



9 780105 950059