

EXPLANATORY NOTES

Assembly Members (Independent Remuneration Board) Act (Northern Ireland) 2025

Chapter 5

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These Notes refer to the Assembly Members (Independent Remuneration Board) Act (Northern Ireland) 2025 (c.5) which received Royal Assent on 16 September 2025

ASSEMBLY MEMBERS (INDEPENDENT REMUNERATION BOARD) ACT (NORTHERN IRELAND) 2025

EXPLANATORY NOTES

INTRODUCTION

1. These Explanatory Notes relate to the Assembly Members (Independent Remuneration Board) Act (Northern Ireland) 2025 which received Royal Assent on 16/09/2025. They have been prepared by the Northern Ireland Assembly Commission ('the Commission') in order to assist the reader in understanding the Act. They do not form part of the Act and have not been endorsed by the Assembly.

2. The notes need to be read in conjunction with the Act. They are not, and are not meant to be, a comprehensive description of the Act. So where a section or part of a section does not seem to require any explanation or comment, none is given.

BACKGROUND AND POLICY OBJECTIVES

3. The Commission is a body corporate established by section 40 of the Northern Ireland Act 1998 ('the 1998 Act') to perform functions conferred on the Commission by virtue of any enactment or by resolution of the Assembly. Section 40(4) requires the Commission to provide the Assembly, or ensure that the Assembly is provided, with the property, staff and services required for the Assembly's purposes.

4. Section 47 of the 1998 Act requires the Assembly to pay salaries to Members, permits the Assembly to pay allowances to Members, and provides that the function of determining the salaries or allowances to be paid can be delegated to a body established by Act of the Assembly or conferred on the Commission by a resolution of the Assembly. Section 48 of the 1998 Act permits the Assembly to provide for the payment of pensions, gratuities or allowances to former Members and former office holders and makes similar provision for delegation.

5. The Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011 ('the 2011 Act') established the Independent Financial Review Panel ('the IFRP') and conferred on it the power to make determinations in relation to Members' salaries and allowances and the pensions, gratuities and allowances of former Members and former office holders.

6. Current salaries payable to Members are fixed by the Assembly Members (Salaries and Expenses) Determination (Northern Ireland) 2016 as amended. Pensions payable to former office holders and former Members are fixed by the Assembly Members (Pensions) Determination (Northern Ireland) 2016. These determinations were made by the IFRP.

7. On 30 June 2020, the Assembly conferred on the Commission, by resolution, the function of determining the allowances payable to Members and affirmed that the salaries and pensions of Members should be determined by an independent body. Current allowances payable to Members are fixed by the Assembly Members (Office and Staffing Costs and Allowances) Determination (Northern Ireland) 2025, made by the Commission.

OVERVIEW

8. The Act renames the IFRP as the Independent Remuneration Board ('the Board') and removes its power to determine the allowances payable to Members and former Members. The power to determine allowances now rests with the Commission. The Act provides for temporary appointments to the Board, removes the bar on former Members being members of the Board, and provides that a maximum of one former Member can serve on the Board at any one time. The Act requires the Board to have regard to the salaries payable to Members of certain other legislatures. The Act also makes provision in relation to the timing of determinations, their publication in draft, consultation on draft determinations and other matters.

COMMENTARY ON SECTIONS

Section 1: Independent Financial Review Panel renamed as Independent Remuneration Board

Renames the IFRP as the Board.

Section 2: Removal of function of determining allowances

Removes the Board's power to make determinations about allowances payable to Members and former Members. The Board continues to be responsible for salaries and pensions. In consequence, the section changes the Board's objectives so as to remove reference to the provision of adequate resources to Members for the exercise of their functions.

Section 3: Consideration of salaries in other legislatures

Requires the Board to have regard to the salaries payable to Members of certain other legislatures. These legislatures are: the House of Commons, the Scottish Parliament, Senedd Cymru (the Welsh Parliament), Dáil Éireann (the House of Representatives of Ireland) and Seanad Éireann (the Senate of Ireland).

Section 4: Temporary appointments

Permits the appointment of a temporary Chair of the Board, and temporary members of the Board, pending the appointment of replacements.

Section 5: Membership

Removes former membership of the Assembly as a ground for disqualification from membership of the Board. This includes provision to ensure that not more than one former Member of the Assembly is a member of the Board at any time.

Section 6: Determinations

Deals with the manner in which the Board makes determinations in respect of salaries and pensions. Subsection (2) requires determinations to be made at least 6 months before the date of the poll for the Assembly elections. Subsection (3) requires determinations to be published in draft and made the subject of consultation. Subsection (4) requires consultation before the Board issues determinations more than once in respect of an Assembly, or otherwise than in accordance with the timing rules set out in section 11(2) of the 2011 Act.

Section 7: Minor and consequential amendments

Subsection (2) reflects the fact that under section 3 of the Northern Ireland (Miscellaneous Provisions) Act 2014 a person may no longer simultaneously hold office as a Member and an MP. It remains possible that a person may be paid a salary as a Member of the Assembly while also serving as a Member of the House of Lords. Subsection (3) makes the necessary changes to legislation consequent upon the name of the IFRP becoming the Board.

Section 8: Continuity of the law

Makes provision for continuity of the law, so that the existing determinations continue to have effect until expired, revoked or superseded. The section also ensures that references to the Board by its former name will continue to have effect.

Section 9: Short title

Sets the short title which is the Assembly Members (Independent Remuneration Board) Act (Northern Ireland) 2025.

HANSARD REPORTS

9. The following table sets out the dates of the Hansard reports for each stage of the Act's passage through the Assembly and the date Royal Assent was received.

STAGE	DATE
First Stage	4 February 2025
Second Stage	17 February 2025
Committee Stage - Ad Hoc Committee on the Assembly Members (Remuneration Board) Bill: Evidence from the Northern Ireland Assembly Commission	20 February 2025
Committee Stage - Ad Hoc Committee on the Assembly Members (Remuneration Board) Bill: Evidence from the Independent Parliamentary Standards Authority	11 March 2025
Committee Stage - Ad Hoc Committee on the Assembly Members (Remuneration Board) Bill: Evidence from the Northern Ireland Assembly Commission	25 March 2025
Committee Stage - Ad Hoc Committee on the Assembly Members (Remuneration Board) Bill: Clause-by-clause Consideration	1 April 2025
Report on the Committee Stage of the Assembly Members (Remuneration Board) Bill - NIA 80/22-27	8 April 2025
Consideration Stage	13 May 2025
Further Consideration Stage	3 June 2025
Final Stage	16 June 2025
Royal Assent	16 September 2025

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Telephone orders/General enquiries: 0333 202 5070
E-mail: customer.services@tso.co.uk
Textphone: 0333 202 5077

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