

The Commission and Clerk/Chief Executive's Office



Northern Ireland
Assembly

Room 24
Parliament Buildings
Ballymiscaw
Stormont
Belfast BT4 3XX
T: 028 90521429
commission@niassembly.gov.uk

Mr N McCausland MLA
Room 359a
Parliament Buildings

28 June 2016

Dear Mr McCausland

I refer to the Assembly Question which you tabled for written answer, namely:

To ask the Assembly Commission whether it will place a copy of the terms and conditions, including remuneration, for the Commissioner for Standards in the Assembly Library.

(AQW 1140/16-21)

I confirm that the Assembly Commission will place a copy of the terms and conditions, including remuneration, for the Northern Ireland Assembly Commissioner for Standards in the Assembly library.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alex Attwood'.

Alex Attwood MLA
(on behalf of the Assembly Commission)

NORTHERN IRELAND ASSEMBLY COMMISSIONER FOR STANDARDS

TERMS OF APPOINTMENT

1. Section 19 (5) of the Assembly Members (Independent Financial Review and Standards) Act (NI) 2011 allows the Assembly to delegate to the Assembly Commission the determination of the terms and conditions on which the appointment of the Northern Ireland Assembly Commissioner for Standards is to have effect. This document sets out the terms of your appointment as Northern Ireland Assembly Commissioner for Standards.
 - 1.2 As Northern Ireland Assembly Commissioner for Standards, in accordance with section 18 (2) of the 2011 Act, you are not a member of staff of the Assembly. Accordingly, nothing in these terms shall be construed as, or taken to create, a contract of employment between you and the Assembly Commission.
2. **Commencement of Appointment**
 - 2.1 Your appointment will commence on 17 September 2012.
3. **Duration**
 - 3.1 Subject to earlier termination, your appointment will be for a term of 5 years from the date of appointment. A person may only be appointed to serve as the Northern Ireland Assembly Commissioner for Standards on one occasion i.e. for a total of no more than five years.
4. **Objectives**
 - 4.1 You are appointed as Northern Ireland Assembly Commissioner for Standards. The functions and powers of the Northern Ireland Assembly Commissioner for Standards are set out in the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011 ("the 2011 Act").
 - 4.2 **Duties**
 - 4.3 The functions of the Northern Ireland Assembly Commissioner for Standards are set out in section 17 of the 2011 Act.
5. **Fees and Expenses**
 - 5.1 The fee for the Northern Ireland Assembly Commissioner for Standards is £550 per day (equating to £68.75 per hour), which is subject to statutory deductions. The post is not pensionable.

- 5.2 Your fee will be reviewed annually by the Assembly Commission. You will be notified in writing of any change to your fee.
- 5.3 As Northern Ireland Assembly Commissioner for Standards, you will personally undertake investigations. The Assembly Commission will provide you with such administrative and other support, including staff, services and accommodation as you may reasonably require to discharge your functions as Northern Ireland Assembly Commissioner for Standards. The Assembly Commission shall consult with you about such support before providing it to you.
- 5.4 Although you shall be provided with staff for the purpose of supporting you in the discharge of these functions, this shall be for routine administrative support. You must undertake the functions of the Northern Ireland Assembly Commissioner for Standards solely by yourself.

6. Disclosure

- 6.1 You should note that the fees and expenses paid to you as the Northern Ireland Assembly Commissioner for Standards will be disclosed in the Assembly's Annual Accounts. In entering into this agreement and accepting this appointment you thereby consent to this disclosure.

7. Termination of Appointment

- 7.1 The 2011 Act makes provision for the Assembly to dismiss you from office by resolution of the Assembly. Section 21(1) of the Act states that the appointment of the Commissioner ceases-

- (a) on the expiry of the term for which that person was appointed;
- (b) if that person resigns by giving notice in writing to the Presiding Officer;
- (c) if that person becomes disqualified from serving as the Commissioner; or
- (d) if the Assembly dismisses that person under subsection (2).

Subsection (2) provides for the dismissal of a person from the office of Northern Ireland Assembly Commissioner for Standards by resolution of the Assembly.

Subsection (3) states that the resolution will not be passed without the support of a number of Assembly Members which equals or exceeds two thirds of the total number voting on the resolution.

8. Conduct

- 8.1 Pursuant to section 24 of the 2011 Act, the Assembly may give directions requiring the Northern Ireland Assembly Commissioner for Standards to comply with such principles, codes of conduct and other statements of standards or ethics as the Assembly may specify; and to register such financial or other interest on such occasions and in such manner as the Assembly may require.

8.2 The Commissioner must comply with any directions given by the Assembly under section 24 of the 2011 Act.

8.3 In the exercise of your functions as Commissioner, you will be required to follow the seven principles of public life, as set out by the Committee on Standards in Public Life.

9. Confidentiality/Use of Official Information

9.1 Section 33 of the 2011 Act requires the Northern Ireland Assembly Commissioner for Standards, and any person who assists the Commissioner in the discharge of the functions of the role, not to disclose any information provided to them, subject to the exceptions at Section 33 (2) of the 2011 Act.

10. Disqualification

10.1 You are required to declare any change of circumstances resulting in your disqualification from continuing to serve as Northern Ireland Assembly Commissioner for Standards. Should you become disqualified, in accordance with section 21 (1)(c) of the Act your appointment will cease.

11. Personal Liability

11.1 In accordance with Schedule 4, paragraph 9 (c) of the 2011 Act, the Assembly Commission will indemnify the Commissioner in respect of any payments agreed under section 28(5) or any other liabilities incurred by the Commissioner.

I agree to abide by the Terms of Appointment contained herein:

Signed _____

(Date)

Signed _____

(Date)

On behalf of the Assembly Commission