

**Explanatory Notes relating to the Assembly Members (Salaries)  
Determination (Northern Ireland) 2026<sup>1</sup>**

<b>Paragraph of the Assembly Members (Salaries) Determination (Northern Ireland) 2026<sup>2</sup></b>	<b>Explanation</b>
1. Exercise of Functions	<p>This paragraph lists the functions of the Board under section 2 of the 2011 Act and the objectives of the Board in exercising those functions.</p> <p>The text is based on the introductory provisions of the Assembly Members (Salaries and Expenses) Determination (Northern Ireland) 2016 ('2016 Determination') with relevant alterations made as a consequence of the amendments to the 2011 Act.</p> <p>This paragraph provides that in exercising its functions, the Board had regard to the salaries of members of certain other legislatures (in accordance with section 2(2A) of the 2011 Act).</p>
2. Salary	<p>This paragraph sets out the annual salaries of members and office holders in Table 1.</p> <p>This paragraph provides that where a member is an office holder, the member shall only be paid the salary of the office holder. This corresponds to provision made at paragraph 1(4) of the 2016 Determination.</p> <p>It also provides that where a member undertakes a role in Table 1 for only part of a year, the salary of that member shall be paid pro rata. This corresponds to provision made at paragraph 1(3) of the 2016 Determination.</p> <p>This paragraph provides that salaries shall be paid to a bank or building society account of the member (or of the member and their spouse, civil partner or cohabitant). This corresponds to provision made at paragraph 1(2) of the 2016 Determination.</p> <p>This paragraph is expressed to be subject to paragraphs 3 – 6 of the Determination which provide for different salaries to be paid in certain circumstances.</p>

<sup>1</sup> Terms used in these Explanatory Notes should be construed in accordance with paragraph 7 of the Determination.

<sup>2</sup> References to 'Determination' in these Explanatory Notes mean the Assembly Members (Salaries) Determination (Northern Ireland) 2026 unless the context provides otherwise.

<p>3. Salary during the period following an election</p>	<p>This paragraph makes provision for the salaries to be paid to members and office holders during the initial period of six weeks beginning with the day on which the Assembly first meets (following an election), and the subsequent period of 18 weeks.</p> <p>In accordance with section 31(4) of the 1998 Act, following an election, the Assembly is required to meet within the period of eight days beginning with the day of the poll at which the Assembly is elected.</p> <p>This paragraph refers the reader to Schedule 1, which sets out the salaries to be paid to members and office holders during the 18 weeks which follow the end of the initial period.</p> <p>At the end of this period of 24 weeks, it is no longer possible to appoint the First Minister, deputy First Minister and Northern Ireland Ministers. The Secretary of State is under a duty to propose a new election under section 32 of the 1998 Act.</p>
<p>4. Salary when the offices of First and deputy First Ministers become vacant</p>	<p>This paragraph makes provision for the salaries to be paid to members and office holders if at any time the offices of First Minister and deputy First Minister become vacant otherwise than by virtue of section 16A(11A) of the 1998 Act.</p> <p>Paragraph 4 and Schedule 2 effectively parallel paragraph 3 and Schedule 1: the salaries of members and office holders are reduced by 10% six weeks after the vacancies arrive (the 'initial vacancy period'), and by a further 10% in each of two subsequent periods.</p> <p>This paragraph refers the reader to Schedule 2, which sets out the salaries to be paid to members and office holders during the 18 weeks which follow the end of the initial vacancy period. There are some differences between Schedule 2 and Schedule 1: relevant committee chairs will be in place and obviously neither the First Minister or deputy First Minister will receive the salary of their respective offices.</p> <p>At the end of this period of 24 weeks, it is no longer possible to appoint the First Minister, deputy First Minister and Northern Ireland Ministers. The Secretary of State is</p>

	<p>under a duty to propose a new election under section 32 of the 1998 Act.</p> <p>This paragraph ceases to apply after an Assembly election, at which point paragraph 3 will apply instead.</p>
<p>5. Salary if member in prison</p>	<p>This paragraph provides that during any period where a member is in prison, the member shall only be paid 10% of their salary. This corresponds to provision made at paragraph 4 of the 2016 Determination.</p>
<p>6. Double jobbing</p>	<p>This paragraph makes provision for the salary to be paid to a member where that member is also a member of the House of Lords. This provision corresponds to provision made at paragraph 2 of the 2016 Determination.</p> <p>If such member's only role in the Assembly is as a member (as opposed to an office holder), the member shall only receive a salary in respect of their role as a member of the House of Lords. However, if such member holds one of the offices set out in Table 1, the member's salary is reduced by the amount they are entitled to by virtue of being a member only.</p> <p>Where a member is also a member of the House of Lords for only part of a year, the member's salary is to be paid pro rata.</p> <p>'Double-jobbing' of this kind is unlikely, since no current members are members of the House of Lords and only three office-holders in the House of Lords receive a salary.</p>
<p>7. Recoupment of payments by the Commission</p>	<p>Paragraph 39 of the Assembly Members (Office and Staffing Costs and Allowances) Determination (Northern Ireland) 2025 makes provision for recoupment of payments made by the Commission to members in certain circumstances, for example, payments made in error. This may include recoupment of salaries paid to members.</p> <p>Paragraph 6 of the Determination applies paragraph 39 of the Assembly Members (Office and Staffing Costs and Allowances) Determination (Northern Ireland) 2025 to payments made under the Determination.</p> <p>This provision corresponds to provision made at paragraph 6 of the 2016 Determination.</p>

8. Interpretation	This paragraph provides that for the purpose of interpreting the Determination, the Interpretation Act (Northern Ireland) 1954 applies to the Determination as it applies to an Act of the Assembly and defines terms used elsewhere in the Determination.
9. Revocation	This paragraph revokes the 2016 Determination.
10. Citation and commencement	This paragraph provides for the Determination's commencement and sets out its title.

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## **Schedule 1**

<b>Schedule 1</b>	<b>Explanation</b>
First period after the initial period	<p>If, at the end of the initial period, the Assembly has failed to fill the offices of the First Minister, deputy First Minister and Northern Ireland Ministers, the salaries payable to members and office holders shall be those set out in Table 1A.</p> <p>The offices in the Schedule do not include the offices of Assembly committee chairpersons, as such offices are (under standing orders) filled following the appointment of Ministers.</p>
Second period after the initial period	<p>If, six weeks following the end of the initial period, the Assembly has failed to fill the offices of the First Minister, deputy First Minister and Northern Ireland Ministers, the salaries payable to members and office holders shall be those set out in Table 1B.</p>
Third period after the initial period	<p>If, twelve weeks following the end of the initial period, the Assembly has failed to fill the offices of the First Minister, deputy First Minister and Northern Ireland Ministers, the salaries payable to members and office holders shall be those set out in Table 1C.</p>

## **Schedule 2**

<b>Schedule 2</b>	<b>Explanation</b>
	This Schedule replicates the provisions of Schedule 1, with relevant changes taking account of those who would not be in office following an Assembly election, but would be expected to be in office following vacancies arising in the office of the First and deputy First Ministers.

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