



Questions Relating to Relevant Clauses in the Bill

Clause 1

The "Remuneration Board" better reflects the purpose of the body

Select the option which best reflects your view. Listed are Strongly Agree Agree Neither Agree or Disagree Disagree Strongly Disagree:  
Agree

Enter any comments you have relating to this question:

Clause 2

It is appropriate for the determination of Assembly members' salaries and pensions to be determined by an independent panel/board rather than by the Assembly Commission.

Choose option that best reflects your views. List is Strongly Agree Agree Neither Agree or Disagree Disagree Strongly Disagree:  
Agree

Enter any comments you have relating to this question:

It is appropriate for the determination of adequate resources required by Members for the exercise of their functions to be determined by the Assembly Commission rather than by an independent panel/board.

Select the option which best reflects your view. Listed are Strongly Agree Agree Neither Agree or Disagree Disagree Strongly Disagree:  
Agree

Enter any comments you have relating to this question:

Clause 3

The independent panel/board should have regard to the salaries payable to members of other legislatures when making determinations as to the salaries payable to Members of the Assembly

Choose option that best reflects your views. List is Strongly Agree Agree Neither Agree or Disagree Disagree Strongly Disagree: Strongly Disagree

Enter any comments you have relating to this question:

This would be completely inappropriate for at least 2 reasons. In the first instance, on 10 December the Assembly voted to abdicate its legislative responsibilities not just in one area but 300 areas. No other legislature has done that and in this context it would plainly be inappropriate to link MLA salaries to those of other legislatures who have not handed over their responsibilities to others. In the second instance, MLAs made this decision notwithstanding the fact that they knew that the representation of their constituents in the 300 areas of law would be handed to another elected or even non elected representative of their constituents. To vote in this manner, knowing this to be the the case was reckless, amounting to renouncing the rights of their constituents to be represented in 300 areas of law. MLAs thereby sealed the biggest reversal of democracy in modern times. Obviously not all MLAs voted in this way but all are part of the legislature that effected to disenfranchise their own constituents in 300 areas of law. In such a context it would be wholly inappropriate for them to have any pay rise let alone one of the scale proposed by this question. Pay rises must be be informed by the determination of legislators to defend the democratic rights of their voters.

The legislatures listed above are the appropriate legislatures to consider when making such determinations

Choose option that best reflects your views. List is Strongly Agree Agree Neither Agree or Disagree Disagree Strongly Disagree: Strongly Disagree

Enter any comments you have relating to this question:

None of the other legislatures have voted to abdicate their responsibilities in 300 areas of law when they knew their constituents would thereby be disenfranchised, losing their right to be represented in the making of the laws to which they are subject. In having regard for this it is important to understand that neither the Stormont Brake nor the Applicability motion mechanisms address the presenting difficulty. Even if these mechanisms applied to all imposed legislation and could not be circumvented by decisions of the UK Government, the EU or international arbitration, the presenting difficulty would remain unchanged because voting for this arrangement would involve renouncing the right of constituents to be represented in the legislature making the law to which they are subject. They would instead have to settle for the very truncated negative right to simply try to block a law that has already been made for other jurisdictions by legislators elected to represent other countries, rather than the right to actually make the law in question. The difficulty, however, is much greater first because a significant portion of imposed legislation is subject neither to the brake nor the applicability motion and second because when subject to either the mechanism can be overruled.

#### Clause 4

The temporary filling of vacant positions on the board/panel should be permitted, pending the appointment of replacements.

Choose option that best reflects your views. List is Strongly Agree Agree Neither Agree or Disagree Disagree Strongly Disagree: Disagree

Enter any comments you have relating to this question:

Only if the people are appropriately qualified and have no conflict of interest.

#### Clause 5

Former Members of the Assembly should be permitted to sit on the panel/board.

Choose option that best reflects your views. List is Strongly Agree Agree Neither Agree or Disagree Disagree Strongly Disagree: Strongly Disagree

Enter any comments you have relating to this question:

They have a conflict of interest because of their pensions and because they are likely connected to MLAs who replace them.

#### Clause 6

It is appropriate for determinations to be made at least 6 months before the date of the poll for the Assembly elections.

Choose option that best reflects your views. List is Strongly Agree Agree Neither Agree or Disagree Disagree Strongly Disagree: Neither Agree nor Disagree

Enter any comments you have relating to this question:

Provision should be made to require determinations to be published in draft and made the subject of consultation.

Choose option that best reflects your views. List is Strongly Agree Agree Neither Agree or Disagree Disagree Strongly Disagree: Strongly Agree

Enter any comments you have relating to this question:

Consultation should be undertaken 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 subsection (2).

Choose option that best reflects your views. List is Strongly Agree Agree Neither Agree or Disagree Disagree Strongly Disagree:  
Strongly Agree

Enter any comments you have relating to this question:

### Additional Comments and Observations

Additional Comments and Observations (including on Clauses 7 to 11)

Enter any additional comments or observations you have on the Bill, including on Clauses 7 to 11.:

Linking the pay of MLAs to legislators in other legislatures that have not abdicated their responsibilities in 300 areas of law, let alone acted in this way when they have known that the consequence of doing so would be the disenfranchisement of their constituents in those 300 areas of law, would be wholly inappropriate. Representatives only have a right to positively represent the rights of their constituents. They have no right to renounce them. (Only their constituents could do this, although they should not be asked to do so in a democracy.) Having acted in that extraordinary way MLAs cannot expect to be paid like legislators who protect and defend the enfranchisement of their constituents. Had they transferred the representative function in 300 areas to other representatives of their constituents then there would perhaps have been a case for keeping their current salaries. Having voted to effectively renounce the rights of their constituents to be represented in 300 areas of law, though, there is actually a strong case for looking at a salary reduction.