



Assembly Members (Office and Staffing Costs and Allowances) Determination (Northern Ireland) 2025

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The Assembly Members (Office and Staffing Costs and Allowances) Determination (Northern Ireland) 2025

In exercise of the powers conferred by resolution of the Assembly on 30th June 2020, the Northern Ireland Assembly Commission makes the following Determination—

PART 1: RECOVERY OF COSTS

Purpose of this Part

- 1.—(1) The purpose of this Part is to ensure that members do not suffer a financial detriment by reason of costs incurred in connection with the exercise of functions as members.
- (2) But the purpose of this Part is not to—
- (a) allow members to supplement their salary by way of claims for the recovery of costs,
 - (b) allow political parties to benefit from costs incurred by members, or
 - (c) allow resources made available to members for the exercise of functions as members to be used for party political activities, including assisting election campaigning.

General criteria for recovery of costs

2. A member is only entitled to recovery of a cost under this Determination if —
- (a) the cost was actually incurred by the member,
 - (b) the cost was incurred in connection with the member's exercise of functions as a member,
 - (c) the cost was not recovered from any other person, and
 - (d) the member has not been reimbursed in relation to the cost by any other person.

Payments to connected persons

3. A member is not entitled to recover the cost of any payment to a connected person (see paragraph 44 for the definition of connected person).

Payments to associated persons

- 4.—(1) This paragraph applies where a member seeks to recover the cost of a payment to an associated person (see paragraph 45 for the definition of associated person).
- (2) The member must make, and send to the Commission, a declaration stating—
- (a) the name of the associated person,

- (b) details of the association,
 - (c) details of the matter to which the payment relates, and
 - (d) the amount of the payment.
- (3) A member is not entitled to recover the cost of a payment if—
- (a) a declaration was not made and sent and the member ought reasonably to have known that it should have been made and sent, or
 - (b) the declaration was not accurate and the member ought reasonably to have known that it was not accurate.

Rent

- 5.—(1) A member is entitled to recover rental costs for the member's constituency office in accordance with this paragraph and paragraphs 7 and 8.
- (2) The maximum rental cost recoverable each year is—
- (a) £10,000, if the office is not shared,
 - (b) £4,700, if the office is shared with one or more persons as described in paragraph 43,
 - (c) £7,100, if the office is shared with one or more persons as described in paragraph 43 and those persons are all members.
- (3) Where the office is rented from—
- (a) a connected person, no rental costs may be recovered,
 - (b) an associated person, only 50% of the rental costs may be recovered.

Rates

- 6.—(1) A member is entitled to recover the cost of rates for the member's constituency office in accordance with this paragraph and paragraphs 7 and 8.
- (2) Subject to sub-paragraph (3), the maximum rates cost recoverable will be the rates charge for the office for the year.
- (3) Where a lease agreement is entered into by a member and the rental payments due under the lease exceed the maximum rental cost recoverable for that year, the maximum rates cost recoverable will be calculated in accordance with the formula set out at sub-paragraph (4).
- (4) The formula is—
- $$\frac{(\text{rates charge for the office} \times \text{maximum rental cost recoverable})}{\text{rental payments due under the lease}}$$
- (5) In this paragraph 'maximum rental cost recoverable' has the meaning given by paragraph 5(2).

Rent and rates: general conditions

- 7.—(1) This paragraph sets out further conditions for entitlement to recover rental and rates costs.
- (2) Costs may only be recovered to the extent that they relate to possession of the office during the qualifying period.
- (3) The qualifying period commences on the commencement of the lease, and expires—
- (a) when the lease expires, or
 - (b) three months after the member ceases to be a member,
- whichever comes first.
- (4) No costs may be recovered unless—
- (a) the lease for the office is in writing, and
 - (b) the Commission has approved the lease.
- (5) No costs may be recovered if—
- (a) the member has any interest in the lease or premises comprising the office (other than as a tenant), and
 - (b) the member has not disclosed this interest to the Commission,
- but, this is still subject to paragraph 3 (prohibition on payments to connected persons).
- (6) No costs may be recovered unless the lease includes a term under which the landlord is responsible for maintaining the office in a good state of repair.
- (7) No costs may be recovered unless the office is used solely and exclusively in connection with the discharge of the member's functions as a member.
- (8) In selecting premises for a constituency office, a member should ensure that the premises are accessible.

Rent and rates: signage conditions

- 8.—(1) This paragraph sets out further conditions, relating to signage and display at a constituency office for entitlement to recover rental and rates costs.
- (2) No costs may be recovered unless the exterior of the constituency office bears a sign containing—
- (a) the name of the member,
 - (b) the words 'Member of the Legislative Assembly' or 'MLA',
 - (c) the words 'constituency office', and
 - (d) the Assembly logo.
- (3) Where an office is shared with one or more persons as described in paragraph 43 and those persons are also members, sub-paragraph (2) applies in respect of the name of each of those persons.

- (4) The sign may also include—
- (a) the address of the office,
 - (b) the name or logo of a political party,
 - (c) where the office is shared with a person as described in paragraph 43, and that person is not a member, the name of that person,
 - (d) the telephone number and email address of the office and/or the member,
- but no costs may be recovered if the sign includes anything else.
- (5) No costs may be recovered if the name or logo of a political party on the sign is larger than the Assembly logo.
- (6) No costs may be recovered if the size of the Assembly logo (combined with the name or logo of a political party if there is one) exceeds 20% of the total size of the sign.
- (7) No costs may be recovered if any materials that encourage the public to vote for any candidate or for any political party are displayed so as to be visible from the outside of the constituency office.
- (8) In this paragraph 'Assembly logo' means the Assembly logo of the flax plant.

Constituency office start-up and maintenance costs

- 9.—**(1) A member is entitled to recover costs incurred in establishing a constituency office and refurbishing or maintaining a constituency office in accordance with this paragraph.
- (2) The maximum cost recoverable is £4,000 per mandate.
- (3) Costs recoverable under this paragraph include (without limitation) those relating to—
- (a) purchasing and refurbishing furniture and equipment,
 - (b) office maintenance, health and safety and fire protection measures,
 - (c) reasonable adjustments to the constituency office for persons who have a disability, where such adjustments are not covered by the lease, and
 - (d) such other costs as the Commission may specify in guidance.
- (4) Costs are only recoverable under this paragraph if authorised in advance by the Commission.

Constituency office operating costs

- 10.—**(1) A member is entitled to recover constituency office operating costs in accordance with this paragraph.
- (2) The maximum cost recoverable is £7,950 per year.
- (3) Costs recoverable under this paragraph include (without limitation) those relating to—
- (a) utility and telecommunications costs,
 - (b) office stationery, information technology and other equipment costs,

- (c) statutory charges, water rates, and comparable levies,
 - (d) office maintenance, health and safety and fire protection measures, and
 - (e) such other costs as the Commission may specify in guidance.
- (4) Where the office is shared with one or more persons as described in paragraph 43, the costs are to be apportioned equally between all persons sharing in this way, and the member may only recover costs which relate to that member.

Security measures

- 11.—**(1) A member is entitled to recover the costs of security measures in accordance with this paragraph.
- (2) The maximum cost recoverable is £4,000 per mandate.
- (3) Costs recoverable under this paragraph include those relating to—
- (a) the installation of security measures at constituency offices and a member's private dwelling,
 - (b) the provision of personal security devices, including lone working devices, for members and those staff they employ, and
 - (c) such other costs as the Commission may specify in guidance.
- (4) Costs are only recoverable under this paragraph if authorised in advance by the Commission.

Overnight accommodation costs

- 12.—**(1) Subject to this paragraph, and any daily rate specified by the Commission, a member may recover the costs of overnight accommodation.
- (2) Costs are recoverable under this paragraph if—
- (a) a sitting of the Assembly continues beyond 10:00pm,
 - (b) the member is present at that sitting, and
 - (c) the member stays in overnight accommodation following the end of that sitting.
- (3) The overnight accommodation must be not more than 10 miles from Parliament Buildings.
- (4) The member may also recover the reasonable costs of car parking or taxi costs related to the stay at the overnight accommodation.

Recall costs

- 13.—**(1) A member is entitled to recover recall costs in accordance with this paragraph.
- (2) Recall costs are costs incurred by a member which are wholly and necessarily attributable to the members attendance at Parliament Buildings for the purposes of a recall during a period when the Assembly is in recess.

- (3) Where the member was on holiday when the Assembly was recalled, recall costs may include the costs of return to the location of that holiday.
- (4) Recall costs may only be recovered if they relate to standard class or equivalent travel fares, unless it can be shown that no alternative or more cost-effective travel fares were available.

Disability costs

- 14.**—(1) A member is entitled to recover disability costs in accordance with this paragraph.
- (2) A disability cost is a cost incurred by the member which is—
- (a) wholly and necessarily attributable to a disability the member has, or
 - (b) incurred in making reasonable adjustments to the member's constituency office, which are not covered under the terms of the lease for that office, to accommodate a disabled member of staff or facilitate access for disabled members of the public.
- (3) Where the costs are related to a disability the member has, the member must provide evidence from—
- (a) a qualified medical practitioner approved by the Commission, or
 - (b) a qualified occupational health practitioner approved by the Commission,
- regarding the matters set out in sub-paragraph (4).
- (4) Those matters are—
- (a) the nature of the disability,
 - (b) that as a result of the disability, the member requires additional resources for the performance of their functions as a member, and
 - (c) that the costs of those additional resources are wholly and necessarily attributable to the disability the member has.
- (5) A disability cost is only recoverable if it has been authorised in advance by the Commission.

Winding-up costs

- 15.**—(1) Winding-up costs may be recovered under this paragraph by—
- (a) a person who ceased to be a member in either of the conditions set out at sub-paragraph (2), or
 - (b) the personal representatives of a person who has ceased to be a member by reason of death.
- (2) The conditions are that the person—
- (a) was a member and resigned from the Assembly, or
 - (b) was a member immediately before dissolution of the Assembly and

- (i) did not stand at the subsequent election, or
 - (ii) did stand but was not returned as a member.
- (3) Winding-up costs must be incurred in respect of the three-month period beginning with the day on which the person ceased to be a member.
- (4) The costs which may be recovered are—
- (a) costs under paragraph 9 (start up and maintenance costs), only in so far as those costs relate to such reinstatement or dilapidation costs as are specified in the lease for the premises used as a constituency office,
 - (b) costs under paragraph 10 (constituency office operating cost) not exceeding 25% of the costs recoverable under sub-paragraph 10(2),
 - (c) costs under paragraph 11 (security measures), only in so far as those costs relate to ongoing support for security measures,
 - (d) costs under paragraph 14 (disability costs), and
 - (e) costs under Part 3 (staff costs).
- (5) Where this paragraph applies, any reference in the paragraphs set out at sub-paragraph (4) to a member are to be read as references to a former member.

Payment and reimbursement of costs incurred by members.

- 16.—**(1) Where a member incurs a cost which may be recovered under this Part, that recovery must take the form of either—
- (a) a direct payment by the Commission to the person to whom the cost is owed, or
 - (b) a payment by the member to the person to whom the cost is owed, and reimbursement to the member by the Commission.
- (2) Where the Commission reimburses a cost to a member, payment by the Commission must be made into an account in a financial institution—
- (a) for which the member is the sole signatory, or
 - (b) for which the member and the member's spouse, civil partner or cohabitant are sole signatories.
- (3) A member is not entitled to recovery of any cost unless the member can produce an invoice or receipt showing that cost being incurred.

PART 2: ALLOWANCES

Annual constituency travel allowance

- 17.—**(1) A member is entitled to an annual constituency travel allowance, for travel within the member's constituency, in accordance with this paragraph.

- (2) The allowance is determined by reference to the constituency the member represents, as set out in Table 1.

Table 1: annual constituency travel allowance

(1) Constituency	(2) Allowance (£)	(3) Constituency	(4) Allowance (£)
Belfast East	280	East Antrim	820
Belfast South	280	South Down	1,100
Belfast North	280	North Antrim	1,100
Belfast West	280	Mid Ulster	1,100
North Down	280	Newry and Armagh	1,100
Strangford	820	East Londonderry	1,100
Lagan Valley	820	Foyle	280
South Antrim	820	West Tyrone	1,370
Upper Bann	820	Fermanagh and South Tyrone	1,370

Annual Assembly travel allowance

- 18.—**(1) A member is entitled to an annual Assembly travel allowance, for travel from the member's constituency to Parliament Buildings, in accordance with this paragraph.
- (2) The allowance is determined by reference to the constituency the member represents, as set out in Table 2.
- (3) The member is entitled to the full allowance if the member attends Parliament Buildings on 72 or more qualifying days a year. For each qualifying day less than this, the allowance is reduced by 1%.
- (4) A member must keep a record of attendance at Parliament Buildings.
- (5) A member is not entitled to an allowance if the member uses an official car for travelling to Parliament Buildings, and if a member uses an official car for part of the year, the allowance is reduced accordingly.
- (6) In this paragraph 'qualifying day' means any day where a member attends Parliament Buildings to carry out functions as a member.

Table 2: annual Assembly travel allowance

(1) Constituency	(2) Allowance (£)	(3) Constituency	(4) Allowance (£)
Belfast East	660	East Antrim	3,280
Belfast South	660	South Down	3,280
Belfast North	660	North Antrim	4,270
Belfast West	660	Mid Ulster	4,700
North Down	990	Newry and Armagh	4,700
Strangford	1,210	East Londonderry	5,580
Lagan Valley	1,750	Foyle	6,450
South Antrim	1,970	West Tyrone	6,560
Upper Bann	2,960	Fermanagh and South Tyrone	6,780

Incidental costs of parliamentary travel

- 19.** Nothing in this Part prevents a member from recovering the incidental costs of parliamentary travel in accordance with any scheme made by the Commission.

Resettlement allowance

- 20.—**(1) A person is entitled to a resettlement allowance if the person was a member immediately before dissolution of the Assembly and—
- (a) the person does not stand at the subsequent election, or
 - (b) the person does stand, but is not returned as a member.
- (2) The resettlement allowance is one month's salary (see sub-paragraph (3)) for each completed year of service, subject to a maximum of six months' salary.
- (3) The salary referred to in sub-paragraph (2) is the salary a member is entitled to by virtue of having the role of a member only, as set out in Table 1 of the 2016 Determination, calculated at the date of dissolution of the Assembly.
- (4) Before receiving the resettlement allowance, the person must make all arrangements necessary to wind-up the person's affairs as a member, including—
- (a) issuing redundancy notices to staff,
 - (b) repaying any outstanding debts owing to the Commission,
 - (c) submitting all claims for recovery of costs to the Commission, and
 - (d) making any other arrangements identified by the Commission.
- (5) The resettlement allowance is not payable to the personal representatives of a deceased member.

- (6) A member is not entitled to both an ill-health retirement allowance and a resettlement allowance.

Ill-health retirement allowance

- 21.—**(1) A member is entitled to an ill-health retirement allowance if—
- (a) the member resigns as a member on the grounds of ill-health,
 - (b) the member's ill-health prevents the member from adequately performing functions as a member,
 - (c) there is satisfactory evidence of the matters referred to in sub-paragraph (b) from a medical practitioner approved by the Commission, and
 - (d) the member does not intend to seek re-election to the Assembly.
- (2) The ill-health retirement allowance is one month's salary (see sub-paragraph (3)) for each completed year of service, subject to a maximum of six months' salary.
- (3) The salary referred to in sub-paragraph (2) is the salary a member is entitled to by virtue of having the role of a member only, as set out in Table 1 of the 2016 Determination, calculated at the date the member resigns.
- (4) A member is not entitled to both an ill-health retirement allowance and a resettlement allowance.

Return to the Assembly

- 22.** A person is not entitled to—
- (a) a resettlement allowance, or
 - (b) an ill-health retirement allowance
- if the person becomes a member again within six months of ceasing to be a member.

PART 3: STAFF COSTS

Purpose of this Part

- 23.—**(1) The purpose of this Part is to ensure that members do not suffer a financial detriment by reason of staff costs incurred in connection with the exercise of functions as members.
- (2) But the purpose of this Part is not to—
- (a) allow political parties to benefit from staff costs incurred by members, or
 - (b) allow resources made available to members for the exercise of functions as members being used for party political activities, including assisting election campaigning.

Categories of staff and staff costs

24.—(1) For the purposes of this Part, staff employed by members must be graded as either Grade 1, Grade 2 or Grade 3.

(2) In this Part there are five categories of staff costs—

- (a) category 1: staff salaries,
- (b) category 2: other capped staff costs,
- (c) category 3: ancillary staff costs,
- (d) category 4: replacement staff costs, and
- (e) category 5: additional support costs.

General criteria for staff costs

25.—(1) The Commission will not pay, and the member is not entitled to recover, any staff costs which breach any of the conditions set out in paragraph (2).

(2) The conditions are—

- (a) employees must be individuals (not, for example, a company),
- (b) employees must be appointed on merit after having been identified by a fair and open competition or engaged on a temporary basis via a temporary work agency,
- (c) employees must be employed on the Members' Staff Employment Contract published by the Commission,
- (d) the contract referred to in sub-paragraph (c) must be the exclusive statement of the employee's terms of employment,
- (e) a member must not require an employee to work more than 37 hours per week, and
- (f) where an individual is employed by more than one member, the individual must not be required to work more than 37 hours per week in total in respect of work for all members.

(3) A member must keep records sufficient to show and explain the member's staff costs.

Engagement of agency workers

26. A member may engage the services of a temporary work agency to source and supply an agency worker, subject to the conditions set out in this Part.

Employment or engagement of connected persons

27.—(1) This paragraph applies where a member seeks to recover, or have the Commission pay, staff costs in respect of the employment or the engagement via a temporary work agency of a connected person.

- (2) The Commission will not pay, nor will the member be entitled to recover, staff costs under any category in respect of the employment or the engagement via a temporary work agency of more than one connected person.
- (3) The member must make, and send to the Commission, a declaration stating—
 - (a) the name of the connected person,
 - (b) details of the connection, and
 - (c) the nature of the employment or the engagement via a temporary work agency.
- (4) A member is not entitled to recover, nor have the Commission pay, the staff costs if—
 - (a) a declaration was not made and sent and the member ought reasonably to have known that it must be made and sent, or
 - (b) the declaration was not accurate and the member ought reasonably to have known that it was not accurate.
- (5) If a member (A) employs an employee or engages an agency worker via a temporary work agency who is a family member in respect of another member (B), then member A must declare this in the Register of Members' Interests.

Employment or engagement of associated persons

- 28.—**(1) This paragraph applies where a member seeks to recover, or have the Commission pay, staff costs in respect of the employment or the engagement via a temporary work agency of an associated person.
- (2) The member must make, and send to the Commission, a declaration stating—
 - (a) the name of the associated person,
 - (b) details of the association, and
 - (c) the nature of the employment or the engagement via a temporary work agency.
 - (3) A member is not entitled to recover, nor have the Commission pay, the staff costs if—
 - (a) a declaration was not made and sent and the member ought reasonably to have known that it must be made and sent, or
 - (b) the declaration was not accurate and the member ought reasonably to have known that it was not accurate.

Category 1 costs

- 29.—**(1) Category 1 costs are comprised of staff salaries, including—
- (a) contractual payments to which the employee is entitled under a contract of employment (for example, contractual sick pay, contractual maternity pay, and contractual paternity pay),

- (b) statutory payments to which the employee is entitled in the course of employment (for example, statutory sick pay, statutory maternity pay, or statutory paternity pay) not including statutory redundancy pay, and
 - (c) payments made to a temporary work agency in respect of the salary of an agency worker.
- (2) Category 1 costs are to be paid directly by the Commission.
- (3) Category 1 costs are to be paid into an account in a financial institution—
- (a) for which the employee is the sole signatory, or
 - (b) for which the employee and the employee's spouse, civil partner or cohabitant are the sole signatories, or
 - (c) operated by or on behalf of a temporary work agency.

Category 1 - costs cap

30. The maximum cost payable for category 1 costs is £90,900 per year.

Category 1 - salary scales

- 31.—**(1) This paragraph sets out the amount the Commission will pay in respect of salaries for a member's employees or agency workers in category 1.
- (2) In each year, subject to paragraph 32—
- (a) employees or agency workers will be paid the salary set out in Table 3, and
 - (b) the salary of that employee or agency worker must be the first pay point on the salary scale set out in Table 3 for that grade.
- (3) No employee or agency worker may be paid more than the salary set out in Table 3 for their grade.

Category 1 - Table 3 – staff salaries

Salary with effect from 1 April 2024			
(1) Grade	(2) Pay Point	(3) Annual Salary (£)	(4) Hourly rate (£)
Grade 1	1	26,694	13.88
Grade 1	2	28,363	14.75
Grade 2	1	33,409	17.37
Grade 2	2	34,569	17.97
Grade 3	1	41,023	21.33
Grade 3	2	42,249	21.96

Category 1 - staff salaries - further provision

- 32.—**(1) Where an employee (but not an agency worker) has ended a period of employment with another member (A) within a 3-month period prior to being employed by another member (B), member B may choose to pay the employee at the same pay point as they were paid by member A.
- (2) Where the conditions set out in sub-paragraph (3) are satisfied in any year a member may move an employee or an agency worker from pay point 1 in Table 3 to pay point 2 on 1st April of that year.
- (3) The conditions are that—
- (a) the employee or agency worker has satisfactorily performed his or her duties, and
 - (b) the employee or agency worker was employed or engaged by the member for a continuous period which began not later than 1st September in the previous year.
- (4) Where any increase in the salaries paid to employees and agency workers under this paragraph would result in category 1 costs exceeding the limit in paragraph 30, the member may elect not to increase the salary of any employee or agency worker.

Category 2 costs

- 33.—**(1) Category 2 costs are comprised of staff health and welfare costs, staff training costs, staff recruitment costs and staff travel costs (paragraph 34 makes provision for staff travel costs).
- (2) The maximum category 2 cost recoverable per year, excluding staff travel costs, is £2,500.
- (3) Costs recoverable under this paragraph include (without limitation) those relating to—
- (a) staff health and welfare costs, such as eyesight tests, display screen equipment assessments, and occupational health assessments,
 - (b) staff training costs,
 - (c) recruitment costs, including on-boarding costs,

- (d) HR, legal or general employment related costs associated with the employment of staff by the member, and
- (e) such other costs as the Commission may specify in guidance.

Category 2 - staff travel costs

34.—(1) A member may recover the cost of staff undertaking travel that is wholly, exclusively and necessarily incurred in assisting the member to carry out their functions as a member. This includes—

- (a) travel on constituency business,
 - (b) travel to and from Parliament Buildings,
 - (c) travel to attend training events approved by the member.
- (2) Where travel costs are incurred through travel in a privately-owned vehicle, the employee or agency worker will be reimbursed at a rate approved by HMRC.
- (3) The maximum amount that may be recovered by a member in respect of staff travel costs each year is set out in Table 4.

Category 2 - Table 4 – staff travel allowance

(1) Constituency	(2) Allowance (£)	(3) Constituency	(4) Allowance (£)
Belfast East	270	East Antrim	1,130
Belfast South	270	South Down	1,200
Belfast North	270	North Antrim	1,460
Belfast West	270	Mid Ulster	1,590
North Down	350	Newry and Armagh	1,590
Strangford	550	East Londonderry	1,830
Lagan Valley	690	Foyle	1,870
South Antrim	770	West Tyrone	2,170
Upper Bann	1,030	Fermanagh and South Tyrone	2,230

Category 3 costs

35.—(1) Category 3 costs are comprised of –

- (a) employer's contributions to National Insurance,
- (b) employer's contributions to the pension scheme approved by the Commission, capped at 10% of the gross salary of that employee,
- (c) statutory redundancy payments,

- (d) temporary work agency fees and charges associated with the engagement of agency workers via a temporary work agency, and
 - (e) employer's liability insurance.
- (2) Category 3 costs are to be paid directly by the Commission.

Category 4 costs

- 36.—**(1) Category 4 costs are comprised of the costs that a member incurs in temporarily employing a person to replace an employee where—
- (a) the employee is absent from work for a continuous period of at least four weeks by reason of illness, maternity leave, paternity leave or adoption leave, and
 - (b) that employee continues during that period to be paid a salary recoverable under paragraph 31.
- (2) Category 4 costs are to be paid directly by the Commission.
- (3) Replacement employees must be appointed on merit after having been identified by a fair and open competition or engaged via a temporary work agency and must be employed or engaged at pay point 1 in Table 3 at the grade of employee they are replacing.

Category 5 costs

- 37.—**(1) A member may recover additional support costs in accordance with this paragraph.
- (2) A member is eligible to claim additional support costs where—
- (a) that member would, if an employee, be entitled to a period of maternity leave, adoption leave or shared parental leave,
 - (b) the member does not in that period engage in the full range of functions as a member, and
 - (c) the member employs, or engages via a temporary work agency, a person to assist them with certain of their functions as a member.
- (3) The salary payable to a person engaged under sub-paragraph (2)(c) must be calculated by reference to paragraph 31.
- (4) The maximum cost recoverable under this paragraph is £25,000.
- (5) Costs cannot be recovered under this paragraph for a period exceeding six months from the date on which the condition specified in sub-paragraph (2)(a) is satisfied.
- (6) The Commission may issue guidance to members on how the conditions set out at sub-paragraph 2 are to be satisfied.

PART 4: GENERAL

Indexation

- 38.—**(1) In each year, the following amounts set out in this Determination will be increased by the percentage increase in the published CPI figure for the 12-month period ending on the previous 31st January—
- (a) the maximum cost recoverable for constituency office operating costs specified at paragraph 10(2),
 - (b) the annual constituency travel allowance specified at columns 2 and 4 of Table 1,
 - (c) the annual Assembly travel allowance specified at columns 2 and 4 of Table 2, and
 - (d) the annual staff travel allowance specified at columns 2 and 4 of Table 4.
- (2) Where the published CPI figure referred to in sub-paragraph (1) is stated to be a provisional figure, or is subsequently amended, that figure shall apply as confirmed or amended.
- (3) The amounts arrived at after the application of sub-paragraph (1) shall be rounded to the nearest ten pounds.
- (4) In each year, the following amounts set out in this Determination will be revised by reference to any general increase or decrease applied to salaries paid to staff employed by the Commission in the previous year—
- (a) the maximum cost recoverable for category 1 costs specified at paragraph 30 rounded to the nearest hundred pounds,
 - (b) the annual salaries and hourly rates specified at columns 3 and 4 of Table 3, and
 - (c) the maximum cost recoverable for additional support costs specified at paragraph 37(3).

Recoupment of payments made by Commission

- 39.—**(1) This paragraph applies to payments made by the Commission to a member if—
- (a) the payment was made in error,
 - (b) the request for payment was inaccurate,
 - (c) the member has failed to comply with any requirement set out in this Determination in respect of the payment, or
 - (d) the payment was in respect of a resettlement allowance or ill-health allowance and paragraph 22 (return to the Assembly) applies.
- (2) In this paragraph ‘payment’ means payment of any of the following to, or in respect of, a member—
- (a) salary,

- (b) cost,
 - (c) allowance,
 - (d) staff costs.
- (3) Where this paragraph applies—
- (a) the Commission may require the member to repay the payment,
 - (b) the member must comply with this requirement within three months of it being made, and
 - (c) in default of repayment within three months of the requirement being made, the Commission may deduct an amount equal to it from any other amount to be paid to the member under this or any subsequent Determination.

Duty to keep financial records

- 40.—**(1) A member must keep financial records sufficient to show and explain those costs incurred and recovered.
- (2) Financial records maintained by members—
- (a) should be retained in accordance with any retention periods published by the Commission, and
 - (b) are subject to annual audit by, or on behalf of, the Commission.

Declaration of compliance

- 41.—**(1) Each year, a member must make, and send to the Commission, a declaration that the member has complied with all the requirements of this Determination.
- (2) A member is not entitled to recover any costs incurred in the subsequent year until the member makes and sends the declaration.

Guidance

- 42.—**(1) The Commission must publish guidance on the matters set out in the following paragraphs—
- (a) paragraph 9 (office start-up and maintenance costs),
 - (b) paragraph 10 (constituency office operating costs),
 - (c) paragraph 11 (security measures),
 - (d) paragraph 12 (overnight accommodation), and
 - (e) paragraph 37 (additional support costs).
- (2) The Commission must publish a Members' Staff Employment Contract (see paragraph 25(2)(c)).

- (3) The Commission may publish such further or other guidance relating to this Determination as it sees fit.
- (4) The Commission must have regard to the extent to which a member has complied with any guidance published under this paragraph in exercising its other functions under this Determination.

Shared offices

- 43.—**(1) A member (A) is only to be regarded as sharing an office with another person (B) if –
- (a) A and B are both members of the same political party, and
 - (b) B is a member or a member of either House of Parliament.
- (2) Two or more premises are to be regarded as being the same office (and their occupants therefore to be regarded as sharing) if –
- (a) the premises are in the same building,
 - (b) the premises are owned by the same person, and
 - (c) the premises are used by a member (A) and a person (B), and
 - (i) A and B are both members of the same political party, and
 - (ii) B is a member or a member of either House of Parliament.
- (3) Where an office is shared, it is to be regarded as being rented from a connected person or an associated person, if it is rented from someone who is a connected person or an associated person with regards to one or more of the persons sharing it.

Meaning of connected person

- 44.** The following persons are connected with a member –
- (a) a family member of the member,
 - (b) a political party of which the member is a member,
 - (c) a person with whom the member is connected within the meaning of the following provisions of the Companies Act 2006 –
 - (i) section 252(2)(b) (bodies corporate with whom a person is connected),
 - (ii) section 252(2)(c) (trusts with which a person is connected),
 - (iii) section 252(2)(d) (partnerships with which a person is connected),
 - (iv) section 252(2)(e) (firms with which a person is connected).

Meaning of associated person

- 45.** The following persons are associated with a member –
- (a) a political party,
 - (b) a member, employee or officer of a political party,

- (c) an association, whether incorporated or not, the purpose of which is wholly or mainly –
 - (i) the advancement of political opinions,
 - (ii) the advancement of culture or heritage, or
 - (iii) the advancement of religion.
- (d) a person who is, or was within the last five years –
 - (i) a member of the Assembly, the European Parliament, the Houses of Parliament, the Senedd Cymru, the Scottish Parliament, the Dáil Éireann, or the Seanad Éireann,
 - (ii) a member of a district council,
 - (iii) an employee of a member of the Assembly,
 - (iv) an employee of the Commission,
 - (v) an employee of a Northern Ireland department,
 - (vi) an employee of a district council,
 - (vii) a family member of a member of the Assembly, or
 - (viii) a candidate for election to the Assembly.
- (e) a trust, where –
 - (i) any trustee of the trust falls within any of sub-paragraphs (a) to (d),
 - (ii) any beneficiary of the trust falls within any of sub-paragraphs (a) to (d).
- (f) a company, where –
 - (i) any director or secretary of the company falls within any of sub-paragraphs (a) to (d),
 - (ii) any person who owns or controls more than 5% of the company's share capital or voting rights falls within any of sub-paragraphs (a) to (d).

Interpretation

46.—(1) The Interpretation Act (Northern Ireland) 1954 applies to this Determination as it applies to an Act of the Assembly.

(2) In this Determination—

‘the 2016 Determination’ means the Assembly Members (Salaries and Expenses) Determination (Northern Ireland) 2016

‘agency worker’ and ‘temporary work agency’ have the same meaning as in the Agency Workers Regulations (Northern Ireland) 2011,

‘associated person’ has the meaning given in paragraph 45,

‘civil partner’ has the same meaning as in section 1 of the Civil Partnership Act 2004,

‘cohabitant’ means either member of a couple consisting of –

- (a) a man and woman who are living together as if they were husband and wife, or
- (b) two persons of the same sex who are living together as if they were civil partners,

'Commission' means the Northern Ireland Assembly Commission,

'connected person' has the meaning given in paragraph 44,

'CPI' means the Consumer Prices Index of Inflation published by the Office of National Statistics.

'disability' and 'disabled' have the same meaning as in the Disability Discrimination Act 1995,

'employee' has the meaning given by Article 3 of the Employment Rights (Northern Ireland) Order 1996,

'family member' means –

- (a) parent, child, grandparent or grandchild,
- (b) brother, sister, uncle, aunt, nephew or niece (whether of the full or half-blood),
- (c) spouse or any person related to a spouse in any of the ways set out in sub-paragraphs (a) or (b),
- (d) civil partner or any person related to a civil partner in any of the ways set out in sub-paragraphs (a) or (b), and
- (e) cohabitant or any person related to a cohabitant in any of the ways set out in sub-paragraphs (a) or (b).

'mandate' means the period between the election of an Assembly under section 30 or 32 of the Northern Ireland Act 1998 and the dissolution of that Assembly under either of those sections,

'Parliament Buildings' means the premises located in Belfast at postcode BT4 3XX,

'political party' means a party registered under Part 2 of the Political Parties, Elections and Referendums Act 2000,

'year' means a period of 12 months commencing on 1 April.

(3) A member's functions as a member include the following functions –

- (a) attending a sitting of the Assembly at Parliament Buildings,
- (b) attending a meeting of a committee or sub-committee of the Assembly,
- (c) undertaking research or administrative functions which relate directly to the business of the Assembly,
- (d) establishing or maintaining a constituency office,
- (e) providing an advice service to constituents,
- (f) attending meetings for the purpose of representing constituents in Northern Ireland, including meetings with a constituent or constituents,
- (g) attending, with the approval of the Commission, any ceremony or official function or national or international conference as a representative of the Assembly, but

not including attendance that relates wholly or mainly to that member's role as a party spokesperson or representative.

PART 5: AMENDMENTS AND REVOCATIONS

Amendment of the 2016 Determination

47.—(1) The 2016 Determination is amended as follows—

(2) After paragraph 1(4) insert—

‘(5) In this paragraph—

(a) ‘civil partner’ has the same meaning as in section 1 of the Civil Partnership Act 2004,

(b) ‘cohabitant’ means either member of a couple consisting of –

(i) a man and woman who are living together as if they were husband and wife,
or

(ii) two persons of the same sex who are living together as if they were civil partners.’.

(3) After paragraph 5, insert—

‘(6) Paragraph 39 of the Assembly Members (Office and Staffing Costs and Allowances) Determination 2025 (recoupment of payments made by Commission) applies to payments made under this Determination.’.

(4) Parts 2, 3, 4, and 5 are omitted.

(5) The Schedule is omitted.

Revocations

48. The Assembly Members (Salaries and Expenses) (Amendment) Determination (Northern Ireland) 2020 is revoked.

Citation and commencement

49. This Determination may be cited as the Assembly Members (Office and Staffing Costs and Allowances) Determination (Northern Ireland) 2025, and shall come into operation on 7th February 2025.

Retrospection

50.—(1) Save as provided by sub-paragraph (2), this Determination shall have effect from 1st April 2024.

(2) Paragraphs 5 and 7 shall have effect from 1st October 2024.