



National Assembly for Wales (Remuneration) Measure 2010

2010 nawm 4

A Measure of the National Assembly for Wales to establish a National Assembly for Wales Remuneration Board, to transfer to that Board the functions of making determinations in relation to the remuneration of Assembly members, the First Minister, Welsh Ministers, the Counsel General and Deputy Welsh Ministers, and for connected purposes.

This Measure, passed by the National Assembly for Wales on 26 May 2010 and approved by Her Majesty in Council on 21 July 2010, enacts the following provisions:—

1 [F¹Independent Remuneration Board of the Senedd]

- (1) There is to be a [F²board to be known as the Independent Remuneration Board of the Senedd] (“the Board”).
- (2) The members of the Board are the Chair and four other members.
- (3) If there is a vacancy in the office of Chair, or the Chair is unable to act, the other members of the Board may appoint one of their number to be Acting Chair.
- (4) The quorum of the Board is three.
- (5) The Board may not make any determination under section 20(6), 24(1) or 53(7) of the Act unless the proposal to do so has been approved by at least three members of the Board.
- (6) Subject to subsections (4) and (5) and to section 2(2), the Board is to regulate its own procedure.
- (7) The validity of the proceedings of the Board is not affected by—
 - (a) a vacancy among the members, or
 - (b) a defect in the appointment of a member.

Status: This version of this Measure contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the National Assembly for Wales (Remuneration) Measure 2010. (See end of Document for details)

Textual Amendments

- F1** S. 1 heading substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 4\(2\)](#)
- F2** Words in s. 1(1) substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), [ss. 8](#), 42(2)

PROSPECTIVE

2 Independence, openness and inclusiveness

- (1) The Board is not, in the exercise of its functions, to be subject to the direction or control of the [^{F3}Senedd] or of the [^{F3}Senedd] Commission.
- (2) The Board must—
- generally act in an open and transparent manner, and
 - publish on the [^{F4}Senedd's] website such information as will enable the public to be kept informed as to its activities.
- (3) Subsection (2) does not prevent the Board from considering a matter in private and from maintaining the privacy of its consideration of that matter, if, in the opinion of the Board, the nature of that matter makes it appropriate to do so.
- (4) The Board must, before exercising any of its functions, consult those of the following who are likely to be affected, unless the Board considers that there are circumstances that make it inappropriate to do so—
- [^{F5}Members of the Senedd],
 - staff employed by [^{F5}Members of the Senedd] (or by [^{F6}groups of Members]),
 - relevant trade unions, and
 - such other persons as it considers appropriate.
- (5) The Board must, when consulting [^{F5}Members of the Senedd], have regard to subsection (1).

Textual Amendments

- F3** Word in Measure substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 4\(12\)](#) (with [Sch. 1 para. 4\(7\)\(8\)](#))
- F4** Word in s. 2(2)(b) substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 4\(3\)](#)
- F5** Words in Measure substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 4\(10\)](#) (with [Sch. 1 para. 4\(7\)\(8\)](#))
- F6** Words in s. 2(4)(b) substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 4\(4\)](#)

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PROSPECTIVE

3 Functions of the Board

- (1) Subject to subsections (3) and (4), the functions of the Board are those conferred on it by sections 20, 22, 24, 53 and 54 of the Act, as amended by this Measure.
- (2) The Board must exercise its functions with a view to achieving the objectives of—
 - (a) providing [^{F5}Members of the Senedd] with a level of remuneration which—
 - (i) fairly reflects the complexity and importance of the functions which they are expected to discharge, and
 - (ii) does not, on financial grounds, deter persons with the necessary commitment and ability from seeking election to the [^{F3}Senedd],
 - (b) providing [^{F5}Members of the Senedd] with resources which are adequate to enable them to exercise their functions as [^{F5}Members of the Senedd], and
 - (c) ensuring probity, accountability, value for money and transparency with respect to the expenditure of public funds.
- (3) The Board must keep under review the extent to which, having regard to—
 - (a) experience gained from the operation of the Board's determinations,
 - (b) changes in the functions of [^{F5}Members of the Senedd], and
 - (c) any other relevant changes in circumstances,those determinations appear to be achieving the objectives set out in subsection (2).
- (4) The Board may, from time to time, consider any other matter which is relevant to the discharge of its functions, either on its own initiative or at the written request of the Clerk.

Textual Amendments

- F3** Word in Measure substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 4\(12\)](#) (with [Sch. 1 para. 4\(7\)\(8\)](#))
- F5** Words in Measure substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 4\(10\)](#) (with [Sch. 1 para. 4\(7\)\(8\)](#))

4 Disqualification from membership of the Board

Schedule 1 makes provision as to the persons who are disqualified from being members of the Board.

5 Power to amend Schedule 1

- (1) This section has effect if the [^{F3}Senedd] resolves that Schedule 1 be amended so as to—
 - (a) add an office or description of person set out in paragraph 1 of that Schedule,
 - (b) remove such an office or description of person, or
 - (c) alter the description of such an office or person.
- (2) The Counsel General may, by order, amend Schedule 1 so as to give effect to such a resolution.

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- (3) The power to make an order under subsection (2) is exercisable by statutory instrument.
- (4) The Counsel General must, upon being notified in writing by the Presiding Officer that the [F3Senedd] has passed a resolution under subsection (1)—
- (a) exercise the power conferred by subsection (2), and
 - (b) do so as soon as is reasonably practicable.

Textual Amendments

- F3** Word in Measure substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 4\(12\)](#) (with [Sch. 1 para. 4\(7\)\(8\)](#))

6 Appointment of members of the Board

- (1) The Chair and the other members of the Board—
- (a) are to be appointed by the [F3Senedd] Commission, and
 - (b) are to hold office for a fixed term of five years from the date of their respective appointments.
- (2) No person may be appointed to be a member of the Board if that person has already been appointed to be a member of the Board on two occasions.
- (3) Schedule 2 makes further provision about the appointment of members of the Board.

Textual Amendments

- F3** Word in Measure substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 4\(12\)](#) (with [Sch. 1 para. 4\(7\)\(8\)](#))

7 Termination of membership of the Board

The Chair or any other member of the Board ceases to hold office—

- (a) on expiry of the term for which that person was appointed,
- (b) if that person resigns by giving written notice to the [F3Senedd] Commission,
- (c) if that person becomes disqualified from being a member of the Board, or
- (d) if the [F3Senedd] so resolves upon a motion proposed on behalf of the [F3Senedd] Commission by a member of the [F3Senedd] Commission, provided that, if the resolution is passed on a vote, the number of votes cast in favour of the resolution is not less than two thirds of the total number of votes cast.

Textual Amendments

- F3** Word in Measure substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 4\(12\)](#) (with [Sch. 1 para. 4\(7\)\(8\)](#))

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8 Terms and conditions

- (1) The Chair and the other members of the Board are to hold office in accordance with the terms and conditions of their appointment.
- (2) Those terms and conditions are to be determined by the [^{F3}Senedd] Commission.
- (3) The [^{F3}Senedd] Commission must pay the Chair and other members of the Board such amounts as they are entitled to receive under those terms and conditions.

Textual Amendments

- F3** Word in Measure substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 4\(12\)](#) (with [Sch. 1 para. 4\(7\)\(8\)](#))

9 Administrative support

The [^{F3}Senedd] Commission must provide the Board with such administrative support as the Board reasonably requires to enable it to discharge its functions.

Textual Amendments

- F3** Word in Measure substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 4\(12\)](#) (with [Sch. 1 para. 4\(7\)\(8\)](#))

PROSPECTIVE

10 Meetings of the Board

- (1) Subject to subsections (2) and (3) and to section 13(7), (8) and (9) it is for the Board to decide when it is to meet.
- (2) The Board must meet at least once in each calendar year.
- (3) The Board must, if the Clerk requests it to do so, meet to consider a particular matter or matters relevant to its functions.
- (4) A request under subsection (3) must be in writing and must specify the matter or matters in question.

PROSPECTIVE

11 Annual report

The Board must, as soon as possible after the end of each financial year, lay before the [^{F3}Senedd] an annual report on its activities, including its use of resources, during that financial year.