



Rt Hon the Lord Kilclooney The Leader of the House of Lords
House of Lords
London
SW1A 0PW

9th March 2010

Dear John

During Third Reading of the Northern Ireland Assembly Members Bill on 24 February, I gave a commitment to write to you on whether a Member of the Legislative Assembly in Northern Ireland could be elected to the Irish Parliament in Dublin, and whether the Bill would have an effect on their allowances or salaries.

I can confirm that under Irish law only Irish citizens may stand for election to the Dáil Éireann and that there is no specific disqualification for members of other legislatures, including the Northern Ireland Assembly. Since people born in Northern Ireland may declare themselves to be Irish citizens, it would in principle be possible for them to be elected to the Irish Parliament and the NI Assembly.

Similarly, under UK law it is possible for a member of the Irish Parliament to be also a member of the NI Assembly. A member of the Irish Parliament may also be a member of the House of Commons.

You may wish to note that Section 1 of the Northern Ireland Assembly Disqualification Act 1975 provides that a person is disqualified for membership of the NI Assembly if they are a member of the legislature of any country or territory outside the Commonwealth other than Ireland.

In relation to whether the Northern Ireland Assembly Members Bill would have any bearing on the salaries or allowances of people who were both MLAs and Members of the Dáil, it would not. MLA salaries are only affected in relation to dual mandates in relation to the Assembly and Westminster.

I hope this clarifies the issue. A copy of this letter has been placed in the Library of the House.

A handwritten signature in black ink, appearing to read "Jan Royall". The signature is written in a cursive style with a large, looped initial "J" and a long vertical stroke extending upwards from the top of the "J".

JAN ROYALL