

RECORD OF DECISION IP/FCILC 11

Pursuant to the Agreement between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland establishing a North/South Ministerial Council done at Dublin on 8 March 1999, the Agreement between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland establishing Implementation Bodies done at Dublin on 8 March 1999 and to the supplementary Agreement between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland constituted by the exchange of letters dated 18 June 1999, as amended by the supplementary Agreement between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland constituted by the exchange of notes dated 19 November 2002, Mr Ian Pearson, M.P., Parliamentary Under-Secretary of State and Mr. Dermot Ahern, T.D., Minister for Communications, Marine and Natural Resources have given consent to the decision sought in **Paper IP/FCILC 11**. The effective date of this decision is 26 June 2004.

Decision Sought in Paper IP/FCILC 11

Ministers are now invited to approve the determination of the Foyle, Carlingford and Irish Lights Commission referred to in the attached Annex.

FOYLE CARLINGFORD AND IRISH LIGHTS

SECTOR

**Remuneration and other Conditions of
Service of the Chief Executive of the
Loughs Agency**

Finance Ministers agreed that if the Foyle, Carlingford and Irish Lights Commission determined that the remuneration and other conditions of service and the assimilation arrangements set out in the Annex shall apply to the CEO of the Loughs Agency, then such determination shall be deemed to have been approved by Finance Ministers, in accordance with the requirement of the Implementation Bodies Agreement, Annex 2, part 7, paragraph 3.2. The Foyle, Carlingford and Irish Lights Commission has now made such a determination with the deemed approval of Finance Ministers.

Proposals: CEO of the Loughs Agency

Salary

1. The salary scale shall be based on that of the Northern Ireland Civil Service Grade 6;
2. The pay scale shall consist of four fixed pay points;
3. The scale at 1 April 2003 shall be £48000, £50715, £53430 and £56146 per annum;
4. The Body shall assimilate the CEO to the new pay scale on the equivalent or next highest point on the new pay scale;
5. The post-holder shall progress through the pay scale by moving up one point annually subject to satisfactory performance;
6. The salary shall be adjusted in future in line with that of the Northern Ireland Civil Service grade on which the new scale is based.
7. As the current post-holder has an existing expectation of progression to a salary maximum higher than that now recommended, the current post-holder shall retain that entitlement on a "personal to holder" basis. Under this arrangement the value of the personal salary maximum shall be reviewed annually and, if appropriate, adjusted in line with any amendments to be made to comparable NICS grades. Subject to satisfactory performance, the post-holder will move to the personal maximum by the award of a single additional salary uplift payable one year after reaching the normal maximum.

Performance Pay

8. In addition, the CEO will be subject to a performance pay regime, common to the CEOs of all the Bodies, and containing the following elements:-
 - The CEO to prepare annually a set of four challenging personal objectives to be achieved in the forthcoming year;
 - Those objectives to be discussed and approved by the Board and the sponsor Departments;

- At the end of the year the CEO to prepare a written self-assessment of performance for submission to the Board and to the sponsor Departments;
- Also at the end of the year, the CEO to prepare a written statement on the achievements of the Loughs Agency against the Agency's Business Plan, for submission to the Board and to the sponsor Departments;
- The Chairman of the Board, in consultation with the sponsor Departments, to decide on the appropriate bonus. This decision to be notified to the Departments of Finance, by the sponsor Departments, to facilitate monitoring;
- All corporate governance requirements, as specified in the financial memorandum for the Foyle Carlingford and Irish Lights Commission, are to be met in full for the year in question, as a prerequisite of the payment of bonus;
- The maximum bonus normally attainable should be 10% of salary. Amounts in excess of 10% may be paid only in the most exceptional circumstances;
- No performance bonuses will be payable before April 2005, to allow for an assessment of performance during 2004/2005.

Other Common Arrangements

9. Without prejudice to the position of any of the current CEO post-holders in the Bodies, a car will not be provided.
10. Existing annual leave entitlements will remain unchanged.
11. In relation to other standard public sector benefits - e.g. sick leave, bank holidays, flexi-leave - the public sector practices prevailing in the relevant jurisdiction will be applied.

Arrangement specific to the Loughs Agency

12. The post of Chief Executive to the Loughs Agency shall be reviewed following any significant increase in the Body's remit and responsibilities.