



# Scotland Act 1998

## 1998 CHAPTER 46

### PART V

#### MISCELLANEOUS AND GENERAL

##### *Remuneration of members of the Parliament and Executive*

#### **81 Remuneration of members of the Parliament and Executive**

- (1) The Parliament shall make provision for the payment of salaries to members of the Parliament and members of the Scottish Executive.
- (2) The Parliament may make provision for the payment of allowances to members of the Parliament or members of the Scottish Executive.
- (3) The Parliament may make provision for the payment of pensions, gratuities or allowances to, or in respect of, any person who—
  - (a) has ceased to be a member of the Parliament or the Scottish Executive, or
  - (b) has ceased to hold such office, employment or other post in connection with the Parliament or the Scottish Executive as the Parliament may determine but continues to be a member of the Parliament or the Scottish Executive.
- (4) Such provision may, in particular, include provision for—
  - (a) contributions or payments towards provision for such pensions, gratuities or allowances,
  - (b) the establishment and administration (whether by the Parliamentary corporation or otherwise) of one or more pension schemes.
- (5) In this section “provision” includes provision—
  - (a) by an Act of the Scottish Parliament, or
  - (b) by a resolution of the Parliament conferring functions on the Parliamentary corporation;

and references to a member of the Scottish Executive include a junior Scottish Minister.

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*Status: This is the original version (as it was originally enacted).*

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## **82 Limits on salaries of members of the Parliament**

- (1) The Parliament shall ensure that the amount of salary payable to a member of the Parliament in accordance with section 81 is reduced if any salary is payable to him—
  - (a) pursuant to a resolution (or combination of resolutions) of either House of Parliament relating to the remuneration of members of that House, or
  - (b) under section 1 of the European Parliament (Pay and Pensions) Act 1979 (remuneration of United Kingdom MEPs).
- (2) The Parliament shall ensure that the amount of salary is reduced—
  - (a) to a particular proportion of what it would otherwise be or to a particular amount, or
  - (b) by the amount of any salary payable to the member as mentioned in subsection (1)(a) or (b), by a particular proportion of that amount or by some other particular amount.

## **83 Remuneration: supplementary**

- (1) The Parliament shall ensure that information concerning sums paid as salaries, allowances, pensions or gratuities of the kind mentioned in section 81 is published for each financial year.
- (2) No payment of salary or allowances of the kind mentioned in section 81(1) or (2) shall be made to a person who is required by section 84 to take an oath unless he has done so.
- (3) Subsection (2) does not affect any entitlement to payments in respect of the period before the person concerned took the oath once he has done so.
- (4) For the purposes of sections 81 and 82, a person who is a member of the Parliament immediately before the Parliament is dissolved shall be treated—
  - (a) if he continues to hold office by virtue of section 19(2) or paragraph 1 of Schedule 2, as if he were such a member until the end of the day on which he ceases to hold such office, and
  - (b) if he does not fall within paragraph (a) but is nominated as a candidate at the subsequent general election, as if he were such a member until the end of the day on which the election is held.
- (5) Different provision may be made under section 81 or 82 for different cases.