Ministerial and other Salaries Act 1975

1975 CHAPTER 27

An Act to consolidate the enactments relating to the salaries of Ministers and Opposition Leaders and Chief Whips and to other matters connected therewith. [8th May 1975]

Modifications etc. (not altering text)

C1 Act excluded (1.3.2021) by Ministerial and other Maternity Allowances Act 2021 (c. 5), **ss. 3(3)**, 7(2)

Commencement Information

I1 Act wholly in force at Royal Assent

1 Salaries.

(1) Subject to the provisions of this Act—

(a) there shall be paid to the holder of any Ministerial office specified in Schedule 1 to this Act such salary as is provided for by that Schedule; and

(b) there shall be paid to the Leaders and Whips of the Opposition such salaries as are provided for by Schedule 2 to this Act.

(2) There shall be paid to the Lord Chancellor a salary (which shall be charged on and paid out of the Consolidated Fund of the United Kingdom) **[**[F1]of—

(a) £68,827, where the Lord Chancellor is a member of the House of Commons;

(b) otherwise, £101,038.**]**

(3) There shall be paid to the Speaker of the House of Commons a salary (which shall be charged on and paid out of the Consolidated Fund of the United Kingdom) of **[**[F2]£75,766**]** a year; and on a dissolution of Parliament the Speaker of the House of Commons at the time of the dissolution shall for this purpose be deemed to remain Speaker until a Speaker is chosen by the new Parliament.

[[F3](3A) There shall be paid to the Speaker of the House of Lords a salary (which shall be paid out of money provided by Parliament) of **[**[F4]£101,038**]** a year.**]**

[F5](4) . . . . . .

(5) A person to whom any salary is payable under subsection (1) above shall be entitled to receive only one such salary, but if he is the holder of two or more offices in respect of which a salary is so payable and there is a difference between the salaries payable in respect of those offices, the office in respect of which a salary is payable to him shall be that in respect of which the highest salary is payable.

[[F6](6) Where a person who holds office as Lord Chancellor (and to whom a salary is accordingly payable under subsection (2)) is also the holder of one or more other offices in respect of which a salary is payable under this section, he shall only be entitled to one of those salaries.

(7) If, in the case of a person mentioned in subsection (6), there is a difference between the salaries payable in respect of the offices held by him, the office in respect of which a salary is payable to him shall be that in respect of which the highest salary is payable.**]**

Subordinate Legislation Made

P1 S. 1 power exercised by S.I. 1989/681

Textual Amendments

F1 Words in s. 1(2) substituted (25.4.2013) by Public Service Pensions Act 2013 (c. 25), s. 41(1)(b), **Sch. 11 para. 3(2)** (with Sch. 11 para. 8)

F2 Word in s. 1(3) substituted (14.7.2011) by The Ministerial and other Salaries Act 1975 (Amendment) Order 2011 (S.I. 2011/1689), arts. 1, **3(a)**

F3 S. 1(3A) inserted by The Lord Chancellor (Transfer of Functions and Supplementary Provisions) (No. 3) Order 2006 (S.I. 2006/1640), art. 4, **Sch. 2 para. 3(3)** (with saving in art. 2) (the amendment coming into force on the day after the day on which the Lord Chancellor ceased to hold the office of Speaker of the House of Lords in accordance with art. 1 of the amending S.I.)

F4 Word in s. 1(3A) substituted (14.7.2011) by The Ministerial and other Salaries Act 1975 (Amendment) Order 2011 (S.I. 2011/1689), arts. 1, **3(b)**

F5 S. 1(4) repealed (6.11.1997) by 1997 c. 62, **s. 1(1)**

F6 S. 1(6)(7) inserted (25.4.2013) by Public Service Pensions Act 2013 (c. 25), s. 41(1)(b), **Sch. 11 para. 3(3)** (with Sch. 11 para. 8)

Modifications etc. (not altering text)

C2 S. 1(1)(3)(3A) amended (10.7.2008) by The Ministerial and other Salaries Order 2008 (S.I. 2008/1781), arts. 1(2), **2(1)**

[[F7] 1A Alteration of salaries.

(1) For each **[**[F8]relevant period, the annual amount**]** of any salary payable under **[**[F9]section 1(1),**[**[F10](2)(a) or (b),**]** (3) or (3A)**]** of this Act shall be increased by the relevant percentage.

[F11](1A) **[** "Relevant period" means—

(a) the period beginning with the day after the day on which the relevant Parliament is dissolved and ending with the following 31st March ("the first relevant period"), and

(b) each successive period of 12 months.

(1B) The "relevant Parliament" means the Parliament in which subsection (1A) comes into force.**]**

(2) The relevant percentage is the average percentage by which the mid-points of the Senior Civil Service pay bands having effect from 1st April of the **[**[F12]period**]** concerned have increased compared with the previous 1st April.

[F13]**[** (2A) If the first relevant period does not begin on 1st April, in relation to that period the reference in subsection (2) to 1st April of the period concerned is to be read as a reference to 1st April before the beginning of the first relevant period.**]**

(3) The mid-point of a Senior Civil Service pay band is the point half way between the maximum and the minimum.**]**

Textual Amendments

F7 Ss. 1A, 1B inserted (6.11.1997) by 1997 c. 62, **s. 1(2)**

F8 Words in s. 1A(1) substituted (14.7.2011) by The Ministerial and other Salaries Act 1975 (Amendment) Order 2011 (S.I. 2011/1689), arts. 1, **4(a)**

F9 Words in s. 1A(1) substituted by The Lord Chancellor (Transfer of Functions and Supplementary Provisions) (No. 3) Order 2006 (S.I. 2006/1640), art. 4, **Sch. 2 para. 4** (with saving in art. 2) (the amendment coming into force on the day after the day on which the Lord Chancellor ceased to hold the office of Speaker of the House of Lords in accordance with art. 1 of the amending S.I.)

F10 Words in s. 1A(1) inserted (25.4.2013) by Public Service Pensions Act 2013 (c. 25), s. 41(1)(b), **Sch. 11 para. 3(4)** (with Sch. 11 para. 8)

F11 S. 1A(1A)(1B) inserted (14.7.2011) by The Ministerial and other Salaries Act 1975 (Amendment) Order 2011 (S.I. 2011/1689), arts. 1, **4(b)**

F12 Word in s. 1A(2) substituted (14.7.2011) by The Ministerial and other Salaries Act 1975 (Amendment) Order 2011 (S.I. 2011/1689), arts. 1, **4(c)**

F13 S. 1A(2A) inserted (14.7.2011) by The Ministerial and other Salaries Act 1975 (Amendment) Order 2011 (S.I. 2011/1689), arts. 1, **4(d)**

Modifications etc. (not altering text)

C3 S. 1A modified (10.7.2008) by The Ministerial and other Salaries Order 2008 (S.I. 2008/1781), arts. 1(2), **2(2)**

[F14]1B Power to make further alterations.

(1) Her Majesty may from time to time by Order in Council make provision for changing the annual amount, or maximum or minimum annual amount, of any salary payable under section 1 of this Act.

(2) An Order in Council under subsection (1) above may—

(a) specify a new amount, or

(b) provide for an amount to be determined, or to change from time to time, by reference to another amount or a specified formula.

(3) An Order in Council under subsection (1) above may—

(a) make different provision for different circumstances, and

(b) make amendments to this Act.

Status: *Point in time view as at 01/03/2021.*
Changes to legislation: *There are currently no known outstanding effects for the Ministerial and other Salaries Act 1975. (See end of Document for details)*

(4) No recommendation shall be made to Her Majesty to make an Order in Council under subsection (1) above unless a draft of the Order has been approved—

(a) by resolution of each House of Parliament, or

(b) in the case of a draft which relates only to the salary of the Speaker of the House of Commons, by resolution of that House.

Textual Amendments

F14 Ss. 1A, 1B inserted (6.11.1997) by 1997 c. 62, **s. 1(2)**

2 Opposition Leaders and Whips.

(1) In this Act "Leader of the Opposition" means, in relation to either House of Parliament, that Member of that House who is for the time being the Leader in that House of the party in opposition to Her Majesty's Government having the greatest numerical strength in the House of Commons; and "Chief Opposition Whip" means, in relation to either House of Parliament, the person for the time being nominated as such by the Leader of the Opposition in that House; and "Assistant Opposition Whip", in relation to the House of Commons, means a person for the time being nominated as such, and to be paid as such, by the Leader of the Opposition in the House of Commons.

(2) If any doubt arises as to which is or was at any material time the party in opposition to Her Majesty's Government having the greatest numerical strength in the House of Commons, or as to who is or was at any material time the leader in that House of such a party, the question shall be decided for the purposes of this Act by the Speaker of the House of Commons, and his decision, certified in writing under his hand, shall be final and conclusive.

(3) If any doubt arises as to who is or was at any material time the Leader in the House of Lords of the said party, the question shall be decided for the purposes of this Act by **[**[F15]the Speaker of the House of Lords**]**, and his decision, certified in writing under his hand, shall be final and conclusive.

Textual Amendments

F15 Words in s. 2(3) substituted (24.3.2005) by Constitutional Reform Act 2005 (c. 4), ss. 18, 148, **Sch. 6 para. 8**

3 Provision for payment of salaries.

(1) The salaries payable under section 1(1)(*a*) of this Act shall be paid out of money provided by Parliament and, in the case of those payable in respect of the following offices, that is to say—

(a) Treasurer, Comptroller and Vice-Chamberlain of Her Majesty's Household; and

(b) Captain of the Honourable Corps of Gentlemen-at-Arms, Captain of the Queen's Bodyguard of the Yeomen of the Guard and Lord in Waiting;

shall be paid out of money so provided as part of the expenses of the Treasury.

(2) The sums payable out of money provided by Parliament in respect of the salary of the Chancellor of the Duchy of Lancaster shall be reduced by the amount of the salary payable to him otherwise than out of moneys so provided in respect of his office.

(3) The salaries payable under section 1(1)(*b*) of this Act shall be charged on and payable out of the Consolidated Fund of the United Kingdom.

4 Interpretation.

(1) In this Act—

"Junior Lord of the Treasury" means any Lord Commissioner of the Treasury other than the First Lord and the Chancellor of the Exchequer;

"Minister of State" and "Parliamentary Secretary" have the same meanings as in the [M1]House of Commons Disqualification Act 1975.

[[F16](2) The amount provided for by or under this Act as the amount of any salary payable out of money provided by Parliament shall be taken to be the maximum amount so payable; and accordingly the salary so payable in any year may be of a less amount than that provided for.**]**

Textual Amendments

F16 S. 4(2) substituted (6.11.1997) by 1997 c. 62, **s. 2(1)**

Marginal Citations

M1 1975 c. 24.

5 Short title, transitional provision and repeals.

(1) This Act may be cited as the Ministerial and other Salaries Act 1975.

(2) Any Minute of the Treasury regulating the remuneration of the Law Officers of the Crown which is in force immediately before the coming into force of this Act shall have effect as if the relevant salary stated in Schedule 1 to this Act were substituted for the salary specified in the Minute.

[X1](3) The enactments mentioned in Schedule 3 to this Act are hereby repealed to the extent mentioned in column 3 of the Schedule.

Editorial Information

X1 The text of s. 5(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Status: *Point in time view as at 01/03/2021.*
Changes to legislation: *There are currently no known outstanding effects for the Ministerial and other Salaries Act 1975. (See end of Document for details)*

SCHEDULES

SCHEDULE 1

Section 1.

MINISTERIAL SALARIES

[F17PART I

Textual Amendments

F17 Sch. 1 Pts. I-IV substituted (14.7.2011) by The Ministerial and other Salaries Act 1975 (Amendment) Order 2011 (S.I. 2011/1689), arts. 1, 5, **Sch. 1**

Office	*Salary*	
	£	
Prime Minister and First Lord of the Treasury	76,762	
Chancellor of the Exchequer	68,827	
	Salary if the holder is a member of the House of Commons	*Salary if the holder is not a member of the House of Commons*
	£	£
Secretary of State Any of the following offices for so long as the holder is a member of the Cabinet— (a) Lord President of the Council (b) Lord Privy Seal (c) Chancellor of the Duchy of Lancaster (d) Paymaster General (e) Chief Secretary to the Treasury (f) Parliamentary Secretary to the Treasury (g) Minister of State	68,827	101,038

PART II

Office	*Salary if the holder is a member of the House of Commons*	*Salary if the holder is not a member of the House of Commons*
	£	£
1. Any of the offices listed at (a) to (g) of Part I above for so long as the holder is not a member of the Cabinet 2. Minister in charge of a public department of Her Majesty's Government in the United Kingdom who is not a member of the Cabinet, and who is not eligible for a salary under any other provision of this Act 3. Financial Secretary to the Treasury	33,002	78, 891

PART III

Office	*Salary if the holder is a member of the House of Commons*	*Salary if the holder is not a member of the House of Commons*
	£	£
Attorney General	95,772	105,699
Solicitor General	59,248	91,755
Advocate General for Scotland	59,248	91,755

PART IV

Office	*Salary if the holder is a member of the House of Commons*	*Salary if the holder is not a member of the House of Commons*
	£	£
Parliamentary Secretary other than Parliamentary Secretary to the Treasury	23,697	68,710
Treasurer of Her Majesty's Household	33,002	
Comptroller of Her Majesty's Household Vice-Chamberlain of Her Majesty's Household Junior Lord of the Treasury Assistant Whip, House of Commons	19,239	
Captain of the Honourable Corps of Gentlemen-at-Arms		78,891
Captain of the Queen's Bodyguard of the Yeoman of the Guard		68,710
Lord in Waiting		63,537**]**

PART V

1 (1) The salary to be paid to the holder of any office mentioned above in this Schedule shall be of the annual amount **[**[F18]provided for**]**[F19]...

(2) The date on which the holder of any office listed at (*a*) to (*g*) in Part I above becomes or ceases to be a member of the Cabinet shall be notified in the London Gazette, and any such notification (whether before or after the passing of this Act) shall be conclusive evidence for the purposes of this Schedule.

[[F20](3) For the purposes of this Schedule a person is a member of the House of Commons for the period beginning with the day after the day of the poll for the parliamentary election at which the person is elected, and ending with—

(a) if the person is a member immediately before Parliament is dissolved, the day of the poll for the parliamentary general election which follows the dissolution;

(b) otherwise, the day on which the person ceases to be a member.**]**

Textual Amendments

F18 Words in Sch. 1 Pt. V para. 1(1) substituted (6.11.1997) by 1997 c. 62, **s. 2(2)**

F19 Words in Sch. 1 para. 1(1) omitted (14.7.2011) by virtue of The Ministerial and other Salaries Act 1975 (Amendment) Order 2011 (S.I. 2011/1689), arts. 1, **6(a)**

F20 Sch. 1 para. 1(3) inserted (14.7.2011) by The Ministerial and other Salaries Act 1975 (Amendment) Order 2011 (S.I. 2011/1689), arts. 1, **6(b)**

2 In the case of the following offices a salary may be paid to more than one holder of the office at the same time, subject to the limitations expressed below, that is to say—

(a) Secretary of State, so long as not more than 21 salaries are paid at the same time in accordance with Part I above;

(b) Minister of State, so long as not more than 50 salaries are paid at the same time in accordance with Parts I and II above;

(c) Parliamentary Secretary other than Parliamentary Secretary to the Treasury, so long as not more than 83 salaries are paid at the same time in accordance with Parts I and II above taken together with salaries to any Parliamentary Secretary in accordance with Part IV above;

(d) Junior Lord of the Treasury, so long as not more than 5 salaries are paid at the same time;

(e) Assistant Whip, House of Commons, so long as not more than 7 salaries are paid at the same time;

(f) Lord in Waiting, so long as not more than 5 salaries are paid at the same time.

SCHEDULE 2

Opposition Leaders and Whips

[F21PART I

Textual Amendments

F21 Sch. 2 Pt. I substituted (14.7.2011) by The Ministerial and other Salaries Act 1975 (Amendment) Order 2011 (S.I. 2011/1689), arts. 1, 7, **Sch. 2**

Position	*Salary*
	£
In the House of Commons—	
Leader of the Opposition	63,098
Chief Opposition Whip	33,002
Assistant Opposition Whips	19,239
In the House of Lords—	
Leader of the Opposition	68,710
Chief Opposition Whip	63,537]

Status: *Point in time view as at 01/03/2021.*
Changes to legislation: *There are currently no known outstanding effects for the Ministerial and other Salaries Act 1975. (See end of Document for details)*

PART II

1 The salary to be paid to any of the persons mentioned above in this Schedule shall be of the annual amount **[**[F22]provided for**]**.

Textual Amendments

F22 Words in Sch. 2 Pt. II, para. 1 substituted (6.11.1997) by 1997 c. 62, **s. 2(3)**

2 In the case of the Assistant Opposition Whips in the House of Commons, salaries may be paid to not more than 2 at the same time.

3 No salary shall be payable in accordance with this Schedule to a person who is in receipt of a pension under section 26(1) (past Prime Ministers) of the [M2]Parliamentary and other Pensions Act 1972.

Marginal Citations

M2 1972 c. 48.

[X2]SCHEDULE 3

Section 5(3)

REPEALS

Editorial Information

X2 The text of Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Chapter	Short Title	Extent of Repeal
1972 c. 3.	The Ministerial and other Salaries Act 1972.	The whole Act.
1974 c. 21.	The Ministers of the Crown Act 1974.	Section 1.

Status:
Point in time view as at 01/03/2021.

Changes to legislation:
There are currently no known outstanding effects for the Ministerial and other Salaries Act 1975.