



Scotland Act 1998

1998 CHAPTER 46

PART V **U.K.**

MISCELLANEOUS AND GENERAL

Remuneration of members of the Parliament and [^{F1}Government]

Textual Amendments

- F1** Pt. V: word in crossheading substituted (3.7.2012) by [Scotland Act 2012 \(c. 11\)](#), ss. **12(2)(b)**, 44(5) (with s. 12(3)); S.I. 2012/1710, art. 2(f)

81 Remuneration of members of the Parliament and [^{F2}Government]. **U.K.**

- (1) The Parliament shall make provision for the payment of salaries to members of the Parliament and members of the [^{F3}Scottish Government].
- (2) The Parliament may make provision for the payment of allowances to members of the Parliament or members of the [^{F3}Scottish Government].
- (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 [^{F3}Scottish Government],
or
 - (b) has ceased to hold such office, employment or other post in connection with the Parliament or the [^{F3}Scottish Government] as the Parliament may determine but continues to be a member of the Parliament or the [^{F3}Scottish Government].
- (4) Such provision may, in particular, include provision for—
 - (a) contributions or payments towards provision for such pensions, gratuities or allowances,

Changes to legislation: There are currently no known outstanding effects for the Scotland Act 1998, Cross
Heading: Remuneration of members of the Parliament and Government. (See end of Document for details)

- (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 [^{F3}Scottish Government] include a junior Scottish Minister.

Textual Amendments

- F2** Word in s. 81 heading substituted (3.7.2012) by Scotland Act 2012 (c. 11), ss. **12(2)(b)**, 44(5) (with s. 12(3)); S.I. 2012/1710, art. 2(f)
- F3** Words in Act substituted (3.7.2012) by Scotland Act 2012 (c. 11), ss. **12(2)(a)**, 44(5) (with s. 12(3)); S.I. 2012/1710, art. 2(f)

Modifications etc. (not altering text)

- C1** S. 81(3) extended (6.5.1999) by S.I. 1999/1081, art. 8

82 Limits on salaries of members of the Parliament. **U.K.**

- (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—
- [^{F4}(za) under section 4 of the Parliamentary Standards Act 2009 (salaries of members of the House of Commons),][^{F5}or]
- (a) pursuant to a resolution (or combination of resolutions) of [^{F6}the House of Lords] relating to the remuneration of members of that House, ^{F7}...
- ^{F7}(b)
- (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 [^{F8}(1)(za) or (a)], by a particular proportion of that amount or by some other particular amount.

Textual Amendments

- F4** S. 82(1)(za) inserted (24.5.2011) by Constitutional Reform and Governance Act 2010 (c. 25), ss. 38, 52(2), **Sch. 5 para. 11(2)(a)**; S.I. 2011/1274, art. 2(b)
- F5** Word in s. 82(1)(za) inserted (31.12.2020) by European Union (Withdrawal) Act 2018 (c. 16), s. 25(4), **Sch. 3 para. 16(2)(a)** (with s. 19, Sch. 8 para. 37); S.I. 2020/1622, reg. 3(l) (with reg. 10)
- F6** Words in s. 82(1)(a) substituted (24.5.2011) by Constitutional Reform and Governance Act 2010 (c. 25), ss. 38, 52(2), **Sch. 5 para. 11(2)(b)**; S.I. 2011/1274, art. 2(b)
- F7** S. 82(1)(b) and preceding word omitted (31.12.2020) by virtue of European Union (Withdrawal) Act 2018 (c. 16), s. 25(4), **Sch. 3 para. 16(2)(b)** (with s. 19, Sch. 8 para. 37); S.I. 2020/1622, reg. 3(l) (with regs. 10, 22)
- F8** Words in s. 82(2)(b) substituted (31.12.2020) by European Union (Withdrawal) Act 2018 (c. 16), s. 25(4), **Sch. 3 para. 16(3)** (with s. 19, Sch. 8 para. 37); S.I. 2020/1622, reg. 3(l) (with reg. 10)

Changes to legislation: There are currently no known outstanding effects for the Scotland Act 1998, Cross
Heading: Remuneration of members of the Parliament and Government. (See end of Document for details)

83 Remuneration: supplementary. U.K.

- (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.

Changes to legislation:

There are currently no known outstanding effects for the Scotland Act 1998, Cross Heading: Remuneration of members of the Parliament and Government.