



# 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]

### Commencement Information

**II** 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) at such rate as together with the salary payable to him as Speaker of the House of Lords will amount to [<sup>F1</sup>£2,500] a year more than the salary for the time being payable to the Lord Chief Justice, . . . <sup>F3</sup>.
- (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 [<sup>F4</sup>£60,000] 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.
- <sup>F5</sup>(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.

*Status: Point in time view as at 27/03/2002.*

*Changes to legislation: There are currently no known outstanding effects for the Ministerial and other Salaries Act 1975. (See end of Document for details)*

### Subordinate Legislation Made

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

### Textual Amendments

- F1** Words in s. 1(2) substituted by Ministerial and other Pensions and Salaries Act 1991 (c. 5, SIF 89), s. 3(1)
- F2** Amount in s. 1(2) substituted (24.7.1996) by S.I. 1996/1913, art. 4
- F3** Words repealed by Courts and Legal Services Act 1990 (c.41, SIF 76:1), ss. 84(d), 125(7), Sch. 20
- F4** Amount in s. 1(3) substituted (1.5.1997) by S.I. 1996/1913, art. 5(b)
- F5** S. 1(4) repealed (6.11.1997) by 1997 c. 62, s. 1(1)

## [<sup>F6</sup>1A Alteration of salaries.

- (1) For each year starting with 1st April, from 1998 onwards, the annual amount, or maximum or minimum annual amount, of any salary payable under section 1(1) or (3) of this Act shall be increased by the relevant percentage.
- (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 year concerned have increased compared with the previous 1st April.
- (3) The mid-point of a Senior Civil Service pay band is the point half way between the maximum and the minimum.]

### Textual Amendments

**F6** Ss. 1A, 1B inserted (6.11.1997) by 1997 c. 62, s. 1(2)

## <sup>F7</sup>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.
- (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.

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### Textual Amendments

F7 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 the Lord Chancellor, and his decision, certified in writing under his hand, shall be final and conclusive.

## 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 <sup>M1</sup>House of Commons Disqualification Act 1975.

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[<sup>F8</sup>(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.]

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**Textual Amendments**

**F8** S. 4(2) substituted (6.11.1997) by 1997 c. 62, s. 2(1)

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**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.
- <sup>X1</sup>(3) The enactments mentioned in Schedule 3 to this Act are hereby repealed to the extent mentioned in column 3 of the Schedule.

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**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 27/03/2002.*

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## SCHEDULES

### SCHEDULE 1

Section 1.

#### MINISTERIAL SALARIES

<i>Office</i>	<i>Salary</i>
	£
Part I	
Prime Minister and First Lord of the Treasury	[ <sup>F9</sup> 100,000]
Chancellor of the Exchequer	[ <sup>F9</sup> 77,963]
Secretary of State	[ <sup>F9</sup> 77,963]
<sup>F10</sup>	<sup>F10</sup>
...	...
Any of the following offices for so long as the holder is a member of the Cabinet:—	[ <sup>F9</sup> 77,963]
(a) Lord President of the Council;	[ <sup>F9</sup> 77,963]
(b) Lord Privy Seal;	[ <sup>F9</sup> 77,963]
(c) Chancellor of the Duchy of Lancaster;	[ <sup>F9</sup> 77,963]
(d) Paymaster General;	[ <sup>F9</sup> 77,963]
(e) Chief Secretary to the Treasury;	[ <sup>F9</sup> 77,963]
(f) Parliamentary Secretary to the Treasury;	[ <sup>F9</sup> 77,963]
(g) Minister of State	[ <sup>F9</sup> 77,963]
Part II	
1. Any of the offices listed at [ <sup>F11</sup> (a) to (f)] in Part I above for so long as the holder is not a member of the Cabinet	[ <sup>F12</sup> 31,125 - 50, 838]
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	[ <sup>F12</sup> 31,125-50,838]
3. Financial Secretary to the Treasury	[ <sup>F12</sup> 31,125 - 50,838]
[ <sup>F13</sup> 4. Minister of State for so long as the holder is not a member of the Cabinet:]	[ <sup>F13</sup> Maximum 64,426 Minimum 31,125]

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### Part III

Attorney General	[ <sup>F14</sup> £63,756]
F15	F15
...	...
Solicitor General	[ <sup>F16</sup> £78,072]
[ <sup>F17</sup> Advocate General for Scotland]	[ <sup>F18</sup> £56,031]
F15	F15
...	...

### Part IV

Captain of the Honourable Corps of Gentlemen-at-Arms	[ <sup>F19</sup> 64,426]
Parliamentary Secretary other than Parliamentary Secretary to the Treasury	[ <sup>F20</sup> 55,631]
Captain of the Queen's Bodyguard of the Yeoman of the Guard	[ <sup>F21</sup> 55,631]
Treasurer of Her Majesty's Household	[ <sup>F22</sup> 31,125]
Lord in Waiting	[ <sup>F23</sup> 51,161]
Comptroller of Her Majesty's Household	[ <sup>F22</sup> 20,029]
Vice-Chamberlain of Her Majesty's Household	[ <sup>F22</sup> 20,029]
Junior Lord of the Treasury	[ <sup>F22</sup> 20,029]
Assistant Whip, House of Commons	[ <sup>F22</sup> 20,029]

#### Textual Amendments

- F9** Figures in Sch. 1 Pt. I substituted (1.5.1997) by S.I. 1996/1913, **art. 2 Sch. 1.**
- F10** Entry in Sch. 1 Pt. I repealed (27.3.2002) by S.I. 2002/794, **art. 5(2), Sch. 2** (with **art. 6**)
- F11** Entry in Sch. 1 Pt. II para. 1 substituted (22.7.1999) by S.I. 1999/2037, **art. 2(1)(a)**
- F12** Figures in Sch. 1 Pt. II substituted (1.5.1997) by S.I. 1996/1913, **art. 2 Sch. 1.**
- F13** **Sch. 1 Pt. II para. 4** added (22.7.1999) by S.I. 1999/2037, **art. 2(1)(b)**
- F14** Figures in Sch. 1 Pt. III substituted (1.5.1997) by S.I. 1996/1913, **art. 2 Sch. 1.**
- F15** Entries in Sch. 1 Pt. III repealed (20.5.1999) by 1998 c. 46, ss. 48(6), 125, **Sch. 9**; S.I. 1998/3178, **art. 2(2), Sch. 4**
- F16** Figure in Sch. 1 Pt. III substituted (27.6.1997) by S.I. 1997/1500, **art. 2**
- F17** Entry in Sch. 1 Pt. III inserted (20.5.1999) by 1998 c. 46, **s. 87(2)**; S.I. 1998/3178, **art. 2(2), Sch. 4**
- F18** Entry in Sch. 1 Pt. III inserted (1.7.1999) by S.I. 1999/1820, **arts. 1(2), 4, Sch. 2 Pt. I para. 55**
- F19** Entry in Sch. 1 Pt. IV substituted (22.7.1999) by S.I. 1999/2037, **art. 2(2)(a)**
- F20** Entry in Sch. 1 Pt. IV substituted (22.7.1999) by S.I. 1999/2037, **art. 2(2)(b)**
- F21** Entry in Sch. 1 Pt. IV substituted (22.7.1999) by S.I. 1999/2037, **art. 2(2)(c)**
- F22** Figures in Sch. 1 Pt. IV substituted (1.5.1997) by S.I. 1996/1913, **art. 2 Sch. 1.**
- F23** Entry in Sch. 1 Pt. IV substituted (22.7.1999) by S.I. 1999/2037, **art. 2(2)(d)**

*Status: Point in time view as at 27/03/2002.*

*Changes to legislation: There are currently no known outstanding effects for the Ministerial and other Salaries Act 1975. (See end of Document for details)*

#### **Modifications etc. (not altering text)**

- C1** Entries in Sch. 1 Pts. I-IV modified (for the period starting with 20.6.2001 and ending with 31.3.2002) by S.I. 2001/3502, arts. 2(a), 4, **Sch. 1**  
Entries in Sch. 1 Pts. I-IV modified (1.4.2002) (together with any increase in accordance with 1975 c. 27, s. 1A) by S.I. 2001/3502, arts. 2(b), 4, **Sch. 1**
- C2** Entry in Sch. 1 Pt. II (insofar as it relates to a “Minister of State, for so long as the holder is not a member of the cabinet”) modified (for the period starting with 20.6.2001 and ending with 31.3.2002) by S.I. 2001/3502, arts. 2(a), 4, **Sch. 1**  
Entry in Sch. 1 Pt. II (insofar as it relates to a “Minister of State, for so long as the holder is not a member of the Cabinet”) modified (1.4.2002) (together with any increase in accordance with 1975 c. 27, s. 1A) by S.I. 2001/3502, arts. 2(b), 4, **Sch. 1**

### **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 [<sup>F24</sup>provided for] or, as the case may be, of such annual amount not more than the upper figure or less than the lower figure [<sup>F24</sup>provided for] as the First Lord of the Treasury may determine.
- (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.

#### **Textual Amendments**

- F24** Words in Sch. 1 Pt. V para. 1(1) substituted (6.11.1997) by 1997 c. 62, s. 2(2)

- 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.

*Status: Point in time view as at 27/03/2002.*

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## SCHEDULE 2

### OPPOSITION LEADERS AND WHIPS

#### PART I

<i>Position</i>	<i>Salary</i>
	£
In the House of Commons—	
Leader of the Opposition	[ <sup>F25</sup> 55,000]
Chief Opposition Whip	[ <sup>F25</sup> 31,125]
Assistant Opposition Whips	[ <sup>F25</sup> 20,029]
In the House of Lords—	
Leader of the Opposition	[ <sup>F26</sup> £60,961]
Chief Opposition Whip	[ <sup>F26</sup> £56,224]

#### Textual Amendments

**F25** Figures in Sch. 2 Pt. I substituted (1.5.1997) by [S.I. 1996/1913, art. 3, Sch. 2](#).

**F26** Figures in Sch. 2 Pt. I substituted (for the period starting with 20.6.2001 and ending with 31.3.2002) by [S.I. 2001/3502, arts. 3\(a\), 4, Sch. 2](#)

#### PART II

- 1 The salary to be paid to any of the persons mentioned above in this Schedule shall be of the annual amount [<sup>F27</sup>provided for].

#### Textual Amendments

**F27** 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 <sup>M2</sup>Parliamentary and other Pensions Act 1972.

#### Marginal Citations

**M2** [1972 c. 48](#).



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## X<sup>2</sup>SCHEDULE 3

Section 5(3)

### REPEALS

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#### 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

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<b>Chapter</b>	<b>Short Title</b>	<b>Extent of Repeal</b>
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.

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**Status:**

Point in time view as at 27/03/2002.

**Changes to legislation:**

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