



# Ministerial and other Salaries Act 1975

## 1975 CHAPTER 27

### 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 £20,000 a year, but so that the salary payable to a Lord Chancellor under this subsection shall be abated by the amount of any pension payable to him in respect of any public office in the United Kingdom or elsewhere to which he had previously been appointed or elected.
- (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 £13,000 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.
- (4) Her Majesty may from time to time by Order in Council substitute another figure for that given by subsection (2) or (3) above or by Schedule 1 or 2 to this Act as the annual amount, or as the case may be the maximum or minimum annual amount, of any salary; but no recommendation shall be made to Her Majesty to make an Order in Council under this subsection unless a draft of the Order has been approved by resolution of each House of Parliament or, if it relates only to the salary to be paid to the Speaker of the House of Commons under subsection (3) above, by resolution of that House.
- (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.

## **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 Lender 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 House of Commons Disqualification Act 1975.
- (2) The amount specified in this Act as being the amount of any salary payable thereunder out of money provided by Parliament shall be taken to be the maximum amount so payable, and accordingly, notwithstanding the provisions of this Act as to any such amount, the salary so payable in any year in respect of any office may be of a less amount than that so specified.

## **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.
- (3) The enactments mentioned in Schedule 3 to this Act are hereby repealed to the extent mentioned in column 3 of the Schedule.