



# Ministerial and other Pensions and Salaries Act 1991

## 1991 CHAPTER 5

### **4 Grants to persons ceasing to hold ministerial and other offices.**

- (1) Where a person who has not attained the age of sixty-five—
  - (a) ceases at any time (“the material time”) after the passing of this Act to hold a relevant office; and
  - (b) does not again become the holder of a relevant office within the period of three weeks beginning at the material time,he shall be entitled to a payment under this section.
- (2) Subject to subsection (3) below, the amount of the payment to which a person who has ceased to hold a relevant office is entitled under this section is an amount equal to one-quarter of the annual amount of the salary which was being paid to that person in respect of that office immediately before the material time.
- (3) If that person was immediately before the material time a Member of the House of Commons the amount mentioned in subsection (2) above shall be reduced by an amount equal to one-quarter of the difference between—
  - (a) the annual amount of the salary which was then being paid under a Resolution of that House to Members who are Officers of that House or receiving a salary under the Ministerial and other Salaries Act 1975 or a pension under section 26 of the <sup>M1</sup>Parliamentary and other Pensions Act 1972; and
  - (b) the annual amount of the salary which was then being paid under that Resolution to other Members.
- (4) A payment under this section shall not be made until the end of the period mentioned in subsection (1)(b) above.
- (5) No payment shall be made under this section where a person has ceased to hold a relevant office on his death.
- (6) In this section “a relevant office” means—

*Status: Point in time view as at 21/06/2006. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Ministerial and other Pensions and Salaries Act 1991, Section 4. (See end of Document for details)*

- (a) any office, other than that of Prime Minister and First Lord of the Treasury, in respect of which a salary is payable in accordance with Schedule 1 to the Ministerial and other Salaries Act 1975 (ministerial salaries);
  - (b) any position in respect of which a salary is payable in accordance with Schedule 2 to that Act (Opposition Leaders and Whips);
  - [<sup>F1</sup>(ba) the office of Speaker of the House of Lords;]
  - <sup>F1</sup>(c) the office of Chairman of Ways and Means and any office of Deputy Chairman of Ways and Means in respect of which a salary is payable out of money provided by Parliament; and
  - (d) the office of Chairman of Committees of the House of Lords and any office of Deputy Chairman of Committees of the House of Lords in respect of which a salary is payable out of such money.
- (7) Where a person ceases to hold a relevant office while Parliament is dissolved subsection (3) above shall have effect as if for the words “immediately before the material time” there were substituted the words “ immediately before the dissolution ”.
- (8) Where a person ceases on a dissolution of Parliament to hold any such position as is mentioned in subsection (6)(b) above, subsection (1)(b) above shall have effect in relation to his ceasing to hold that position on the dissolution as if for the words “three weeks” there were substituted the words “ six weeks ”.
- (9) Section 13 of the <sup>M2</sup>Parliamentary Pensions etc. Act 1984 is hereby repealed except in cases where the loss of office in question was before the passing of this Act.
- (10) In section 190(b) of the <sup>M3</sup>Income and Corporation Taxes Act 1988 (tax treatment of payments under the said section 13) after the words “section 13 of the Parliamentary Pensions etc. Act 1984” there shall be inserted the words “ or section 4 of the Ministerial and other Pensions and Salaries Act 1991 ”.

#### Textual Amendments

- F1** S. 4(6)(ba) inserted by [The Lord Chancellor \(Transfer of Functions and Supplementary Provisions\) \(No. 3\) Order 2006 \(S.I. 2006/1640\)](#), art. 4, **Sch. 2 para. 7** (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.)

#### Marginal Citations

- M1** 1972 c. 48.  
**M2** 1984 c. 52.  
**M3** 1988 c. 1.

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Ministerial and other Pensions and Salaries Act 1991, Section 4.