

Ministerial and other Salaries Act 1972

1972 CHAPTER 3

An Act to make new provision as to the salaries payable to the holders of Ministerial and other offices, and for purposes connected therewith. [10th February 1972]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

New and altered salaries. 1965 c. 58.

1.—(1) Subject to the provisions of this Act, in lieu of the salaries provided for by the Ministerial Salaries Consolidation Act 1965—

(*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) The provisions of the Ministerial Salaries Consolidation Act 1965 which are set out in Schedule 3 to this Act, with the changes necessary to relate them to this Act and with new definitions of "Parliamentary Secretary" and "Assistant Opposition Whip", shall have effect as there set out. 1965 c. 58.

(6) In the House of Commons Disqualification Act 1957 there shall be made the following amendments consequential on the foregoing provisions of this section:— 1957 c. 20

(*a*) in section 13(1), in the definition of "Minister of State" (as amended by the said Act of 1965) for the words "section 7(1)(*b*) of the Ministerial Salaries Consolidation Act 1965" there shall be substituted the words "paragraph 3(1)(*b*) of Schedule 3 to the Ministerial and other Salaries Act 1972", and after that definition there shall be inserted—

> "'Parliamentary Secretary' includes a person holding Ministerial office (however called) as assistant to a Member of Her Majesty's Government in the United Kingdom, but not having departmental responsibilities;"

(*b*) in Schedule 2, for the entries between "Financial Secretary to the Treasury" and "Junior Lord of the Treasury" there shall be substituted—

> "Parliamentary Secretary in a Government department other than the Treasury, or not in a department."

and the enactments mentioned in Schedule 4 to this Act are hereby repealed to the extent mentioned in column 3 of the Schedule.

(7) This section shall have effect from the beginning of April 1972.

2. This Act may be cited as the Ministerial and other Salaries Act 1972. Short title.

SCHEDULES

SCHEDULE 1

MINISTERIAL SALARIES

Office	*Salary* £
PART I	
Prime Minister and First Lord of the Treasury	20,000
Chancellor of the Exchequer ... ... Secretary of State ... ... Minister of Agriculture, Fisheries and Food ... ... Any of the following offices for so long as the holder is a member of the Cabinet:—	13,000
(*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	
PART II	
Any of the offices listed at (*a*) to (*e*) in Part I above for so long as the holder is not a member of the Cabinet Minister of Posts and Telecommunications ... ... Minister of State ... ... Parliamentary Secretary to the Treasury ... ... Financial Secretary to the Treasury	7,500–9,500
PART III	
Attorney General	14,500
Lord Advocate	11,000
Solicitor General	11,000
Solicitor General for Scotland	7,750
PART IV	
Captain of the Honourable Corps of Gentlemen-at-Arms	6,500
Parliamentary Secretary other than Parliamentary Secretary to the Treasury	5,500
Captain of the Queen's Bodyguard of the Yeomen of the Guard Treasurer of Her Majesty's Household	5,000
Lord in Waiting	4,500
Comptroller of Her Majesty's Household ... ... Vice-Chamberlain of Her Majesty's Household ... ... Junior Lord of the Treasury ... ... Assistant Whip, House of Commons	4,000

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 stated in relation to that office in column 2 or, as the case may be, of such annual amount not more than the upper figure or less than the lower figure so stated as the First Lord of the Treasury may determine.

(2) The date on which the holder of any office listed at (*a*) to (*e*) 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.

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 19 salaries are paid at the same time in accordance with Part I above;

(*b*) Minister of State, so long as not more than 46 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 30 salaries are paid at the same time;

(*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

PART I

Position	*Salary* £
In the House of Commons—	
Leader of the Opposition	9,500
Chief Opposition Whip	7,500
Assistant Opposition Whips	4,000
In the House of Lords—	
Leader of the Opposition	3,500
Chief Opposition Whip	2,500

PART II

1. The salary to be paid to any of the persons mentioned above in this Schedule shall be of the annual amount stated in relation to that person in column 2.

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.

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3. No salary shall be payable in accordance with this Schedule to a person who is in receipt of a pension under section 3(1) (past Prime Ministers) of the Ministerial Salaries Consolidation Act 1965.

1965 c. 58.

SCHEDULE 3

PROVISIONS RE-ENACTED FROM PREVIOUS ACT

Opposition Leaders and Whips

1.—(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.

Provision against duplicate salaries

2. A person to whom any salary is payable under section 1(1) of this Act 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.

Provision for payment of salaries

3.—(1) The salaries payable under section 1(1)(*a*) of this Act shall be paid out of moneys 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 moneys so provided as part of the expenses of the Treasury.

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(2) The sums payable out of moneys 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.

Interpretation

4.—(1) In this Act the following expressions have the meanings hereby respectively assigned to them, that is to say:—

" 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 1957. 1957 c. 20.

(2) The amount specified in this Act as being the amount of any salary payable thereunder out of moneys 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.

Transitional

5. Any Minute of the Treasury regulating the remuneration of the Law Officers of the Crown which is in force at the end of March 1972 shall have effect as if the relevant salary stated in Schedule 1 to this Act were substituted for the salary specified in the Minute.

SCHEDULE 4

REPEALS

Chapter	Short Title	Extent of Repeal
2 & 3 Will. 4. c. 105.	The House of Commons (Speaker) Act 1832.	The whole Act.
1965 c. 11.	The Ministerial Salaries and Members' Pensions Act 1965.	Section 3. Section 20(1). Schedule 4, so far as unrepealed.
1965 c. 58.	The Ministerial Salaries Consolidation Act 1965.	The whole Act, except— section 3; section 6; section 7(3) with the omission of the words preceding " any pension "; section 9(3); and section 10.
1965 c. 61.	The Judges' Remuneration Act 1965.	Section 2(1). In section 4(1) the words " and 2(1) ", and in section 4(2) the words " or section 2(1) ".