

EXPLANATORY NOTES

Ministerial Salaries (Amendment) Act 2026

Chapter 17

£8.90

MINISTERIAL SALARIES (AMENDMENT) ACT 2026

EXPLANATORY NOTES

What these notes do

These Explanatory Notes relate to the Ministerial Salaries (Amendment) Act 2026 which received Royal Assent on 29 April 2026 (c. 17).

- These Explanatory Notes have been prepared by the Cabinet Office in order to assist the reader in understanding the Act. They do not form part of the Act and have not been endorsed by Parliament.
- These Explanatory Notes explain what the Act will mean in practice; provide background information on the development of policy; and provide additional information on how the Act will affect existing legislation in this area.
- These Explanatory Notes might best be read alongside the Act. They are not, and are not intended to be, a comprehensive description of the Act.

Table of Contents

Subject	Page of these Notes
Overview of the Act	3
Policy background	4
Legal background	7
Territorial extent and application	8
Commentary on provisions of the Act	8
Commencement	8
Fast-tracking	9
Annex A - Hansard References	10

Overview of the Act

1 The Act increases the total number of salaries payable to Ministers of the Crown from 109 to 120. It does so by amending the Ministerial and Other Salaries Act 1975 (MOSA), which provides for ministerial salaries to be charged on and payable out of money provided by Parliament.

2 Specifically, the Act amends paragraph 2 of Part 5 of Schedule 1 to MOSA, which provides for salaries for three categories of ministerial rank. Those categories are defined in Parts 1, 2, and 4 of Schedule 1 to MOSA. Those ranks are:

a. **Secretary of State rank,** which provides for salaries for the Prime Minister, Chancellor of the Exchequer, Secretaries of State, and any other members of the Cabinet[1] (except the Lord Chancellor and Attorney General[2]).

b. **Minister of State rank,** which provides for salaries for Ministers of State, and other ministers of equivalent rank, so long as they are not members of the Cabinet.[3]

c. **Parliamentary Secretary rank,** which provides for salaries for Parliamentary Secretaries (sometimes known as Parliamentary Under-Secretaries of State), excluding the Parliamentary Secretary to the Treasury (typically the Commons Chief Whip).

3 The distribution of salaries under MOSA operates under a cumulative scheme. It allows for 21 salaries to be paid at Secretary of State rank; 50 salaries to be paid at Secretary of State and Minister of State rank; and 83 salaries to be paid at Secretary of State, Minister of State, and Parliamentary Secretary rank.

4 This Act makes provision for 22 salaries to be paid at Secretary of State rank; 54 salaries to be paid at Secretary of State and Minister of State rank; and 94 salaries to be paid at Secretary of State, Minister of State, and Parliamentary Secretary rank.

5 No other element of MOSA is being amended under this Act. The 26 salaries available to pay the Lord Chancellor; the Law Officers (the Attorney General, Solicitor General, and the Advocate General for Scotland); and Government Whips remain unchanged. The 8 salaries available to pay other office-holders[4] also remain unchanged.

6 This Act only enables a greater number of ministers to be paid a ministerial salary. It does not impact the value of any salary received, nor any other elements of ministerial office. The House of Commons Disqualification Act 1975 continues to cap at 95 the number of ministers who can be members of the House of Commons.

---

[1] To receive a Secretary of State rank salary, any other members of the Cabinet must also be appointed as Lord President of the Council, Lord Privy Seal, Chancellor of the Duchy of Lancaster, Paymaster General, Chief Secretary to the Treasury, Parliamentary Secretary to the Treasury, or Minister of State.

[2] The Lord Chancellor and Attorney General's salaries are provided for by separate sections of MOSA.

[3] To receive a Minister of State rank salary, other ministers of equivalent rank must be appointed as either Financial Secretary to the Treasury, be a Minister in charge of a public department not otherwise eligible for a salary, or be appointed to one of the offices in footnote 1 not otherwise appointed to the Cabinet.

[4] The Speaker of the House of Commons, the Speaker of the House of Lords, the Leader of the Opposition, Chief Opposition Whip and two Assistant Opposition Whips in the House of Commons, and the Leader of the Opposition and Chief Opposition Whip in the House of Lords.

Policy background

The Formation of Government

7 The Monarch appoints as Prime Minister the individual most able to command the confidence of the House of Commons. All other ministerial appointments are subsequently made by the Monarch on the advice of the Prime Minister. All ministers should be members of either the House of Commons or the House of Lords.[5]

8 While there is no limit in legislation on the total number of persons who can be appointed as ministers, two Acts of Parliament restrict the number of ministerial salaries that can be paid and the number of ministers that can be MPs:

a. The Ministerial and Other Salaries Act 1975 allows for 109 ministerial salaries to be paid; and

b. The House of Commons Disqualification Act 1975 caps at 95 the number of ministers that can be members of the House of Commons.

9 There are no restrictions on the number of Peers who can serve as ministers, and so the number of unsalaried Lords ministers is unlimited by legislation.

The Ministerial and Other Salaries Act 1975

10 The Ministerial and Other Salaries Act 1975 makes provision for the following 109 salaries to be paid to Ministers of the Crown:

a. 21 salaries are payable at Secretary of State rank.

b. 50 salaries are payable at Secretary of State or Minister of State rank.

c. 83 salaries are payable at Secretary of State, Minister of State, or Parliamentary Secretary rank.

d. 5 salaries are payable to a Junior Lord of the Treasury (typically paid to a Government Whip in the House of Commons).

e. 7 salaries are payable to an Assistant Whip in the House of Commons.

f. 5 salaries are payable to a Lord in Waiting (typically paid to a Government Whip in the House of Lords).

g. Separate salaries are payable to each of the following 9 individual ministerial offices: the Lord Chancellor; the Attorney General; the Solicitor General; the Advocate General for Scotland; the Treasurer of His Majesty's Household (typically paid to the House of Commons Deputy Chief Whip); the Comptroller of His Majesty's Household (typically paid to a Government Whip in the House of Commons); the Vice-Chamberlain of His Majesty's Household (typically paid to a Government Whip in the House of Commons); Captain of the Honourable Corps of Gentlemen-at-Arms (typically paid to the Chief Whip in the House of Lords); and the Captain of the King's Bodyguard of the Yeoman of the Guard (typically the Lords Deputy Chief Whip).

[5] By constitutional convention, a Minister is not required to be a member of either House at the time of their ministerial appointment if their appointment to either House is expected within a brief period of time.

11 The Ministerial and Other Salaries Act 1975 also makes provision for the following 8 salaries to be paid to other office holders:

a. The Speaker of the House of Commons.

b. The Speaker of the House of Lords.

c. The Leader of the Opposition, Chief Opposition Whip, and two Assistant Opposition Whips in the House of Commons.

d. The Leader of the Opposition and Chief Opposition Whip in the House of Lords.

12 Salaries payable at Secretary of State, Minister of State or Parliamentary Secretary rank operate cumulatively. This means salaries not allocated at the more senior rank can be used to pay a minister at a more junior rank.

13 For example, while a Prime Minister can allocate 50 salaries at Secretary of State and Minister of State rank, they may decide not to use the full quota of 21 Secretary of State rank salaries. They may therefore allocate salaries to 15 ministers at Secretary of State rank and 35 salaries to ministers at Minister of State rank. Similarly, a Prime Minister may distribute the 83 salaries available at all three ranks by appointing 20 ministers at Secretary of State rank, 23 ministers at Minister of State rank, and 40 ministers at Parliamentary Secretary rank.

14 Secretary of State rank, for the purpose of the 21 salary limit under MOSA, includes any minister appointed as one of the following:

a. The Prime Minister and First Lord of the Treasury.

b. The Chancellor of the Exchequer.

c. Secretary of State.

d. Any of the following offices so long as the holder is a member of the Cabinet:

i. Lord President of the Council;

ii. Lord Privy Seal;

iii. Chancellor of the Duchy of Lancaster;

iv. Paymaster General;

v. Chief Secretary to the Treasury;

vi. Parliamentary Secretary to the Treasury;

vii. Minister of State.

15 Minister of State rank, for the purpose of the 50 salary limit across the Secretary of State and Minister of State rank combined, includes any minister appointed as one of the following:

a. Any holder of the offices listed at i-vii in the list at 14d above, so long as the holder is not a member of the Cabinet.

b. A minister in charge of a public department of His Majesty's Government who is not a member of the Cabinet, and who is not eligible for any other salary under MOSA.

c. The Financial Secretary to the Treasury.

16 Parliamentary Secretary rank, for the purpose of the 83 salary limit across Secretary of State, Minister of State, and Parliamentary Secretary rank, includes any Minister appointed as a Parliamentary Secretary (sometimes known as a Parliamentary Under-Secretary of State), other than the Parliamentary Secretary to the Treasury (typically the Chief Whip).

Number of Government Ministers

17 All governments since 2010 have appointed more ministers than the 109 salary limit. An approximated average size for each administration since 2010 ranges from 118 ministers to 123 ministers, and averages 120. A summary table is below.

Administration	**Average Size**[6]
Coalition Government 2010-2015	121 Ministers
Cameron Government 2015-2016	118 Ministers
May Government 2016-2019	118 Ministers
Johnson Government 2019-2022	119 Ministers
Truss Government 2022	121 Ministers
Sunak Government 2022-2024	123 Ministers
Starmer Government 2024-29 April 2026[7]	120 Ministers

18 The table below gives an approximate average of the number of unpaid ministers per administration.

Administration	**Unpaid Commons Ministers**	**Unpaid Lords Ministers**
Coalition Government 2010-2015	3 Ministers	10 Ministers
Cameron Government 2015-2016	3 Ministers	7 Ministers
May Government 2016-2019	4 Ministers	6 Ministers
Johnson Government 2019-2022	4 Ministers	8 Ministers
Truss Government 2022	3 Ministers	11 Ministers
Sunak Government 2022-2024	3 Ministers	13 Ministers
Starmer Government 2024-29 April 2026[8]	2 Ministers	9 Ministers

[6] Figures given are an approximated average of the size of the named administration, calculated via a sample of the size of the administration each year.

[7] This average was calculated to the date of Royal Assent of this Act.

[8] This average was calculated to the date of Royal Assent of this Act.

19 This Act ensures the Prime Minister has the flexibility to recommend to the Monarch the appointment of a higher number of paid ministers. It aligns the provision of ministerial salaries to the average size of the Government since 2010. It does so by amending the number of salaries payable at Secretary of State, Minister of State, and Parliamentary Secretary rank while retaining the existing cumulative scheme. The changes are as follows:

	Under MOSA 1975	Under the Act	Cumulative Change
Secretary of State rank	21	22	+1
Secretary of State and Minister of State rank	50	54	+4
Secretary of State, Minister of State, and Parliamentary Secretary rank	83	94	+11

20 If all additional salaries were to be allocated to the most senior rank available, this would result in one additional salary at Secretary of State rank, three additional salaries at Minister of State rank, and seven additional salaries at Parliamentary Secretary rank.

Impact on Ministerial Salary Distribution across the Houses of Parliament

21 The House of Commons Disqualification Act 1975 (HCDA) caps at 95 the number of ministers who may be members of the House of Commons. Set against the ministerial salary limits of MOSA, this previously guaranteed a minimum of 14 salaries for Lords ministers, 7 of which were reserved for Whips. This left a minimum of 7 salaries available for other Lords ministers.

22 As the HCDA limit is not amended by this Act, nor is the specific provision of 7 Lords Whips salaries amended, this Act effectively raises the minimum number of salaries available to Lords ministers to 25, 18 of which can be allocated to Lords ministers other than whips.

Legal background

23 This Act amends the Ministerial and Other Salaries Act 1975 (MOSA).

24 Some of the legal background is set out in other sections of these Notes, where relevant.

25 MOSA consolidated the enactments relating to the salaries of ministers and Opposition Leaders and Chief Whips.

26 MOSA specifies the Ministerial offices in respect of which a salary can be paid; provides for the amount of any salary payable in respect of those offices and creates a mechanism for salary values to be changed in accordance with changes in the pay of the Senior Civil Service. It does the same for the Leaders and Whips of the Opposition, Lord Chancellor and Speakers of the House of Commons and House of Lords.

27 The effect of MOSA is to limit the number of ministerial salaries that can be paid at any one time.

Territorial extent and application

28 Section 2(1) sets out the territorial extent of the Act, that is the jurisdictions of which the Act forms part of the law. The extent of an Act can be different from its application. Application is about where an Act produces a practical effect. This Act extends to England and Wales, Scotland and Northern Ireland. It applies only to ministers in the UK Government, not the Devolved Governments.

29 There is a convention that Westminster will not normally legislate with regard to matters that are within the legislative competence of the Scottish Parliament, Senedd Cymru or the Northern Ireland Assembly without the consent of the legislature concerned. The matters to which the provisions of the Act relate are not within the legislative competence of the Scottish Parliament, Senedd Cymru or the Northern Ireland Assembly, and no legislative consent motion was sought in relation to any provision of the Act.

Commentary on provisions of the Act

Section 1: Ministerial Salaries

30 Section 1 amends paragraph 2 of Part 5 of Schedule 1 to MOSA, which is the section of MOSA that determines the number of salaries available to Secretaries of State, Ministers of State, and Parliamentary Secretaries.

31 Section 1(a) replaces the previous provision of **21** salaries at Secretary of State rank with a new provision for **22** salaries.

32 Section 1(b) replaces the previous provision of **50** salaries at Secretary of State and Minister of State rank with a new provision for **54** salaries.

33 Section 1(c) replaces the previous provision of **83** salaries at Secretary of State rank, Minister of State rank, and Parliamentary Secretary rank with a new provision for **94** salaries.

Section 2: Extent, commencement and short title

34 Section 2(1) states that the Act extends to England and Wales, Scotland and Northern Ireland. The Act applies only to ministers in the UK Government, not the Devolved Governments.

35 Section 2(2) states that the Act comes into force on the day on which it is passed. The additional ministerial salaries were available immediately from that point.

36 Section 2(3) states that the Act may be cited as the Ministerial Salaries (Amendment) Act 2026.

Commencement

37 The Act came into force on the day it was passed, upon which the additional ministerial salaries were available immediately.

Fast-tracking

38 The government asked the House of Commons to expedite the parliamentary progress of this Act. In their report on Fast-track Legislation: Constitutional Implications and Safeguards[9], the House of Lords Select Committee on the Constitution recommended that the government should provide more information as to why a piece of legislation should be fast-tracked[10].

Why was fast-tracking necessary?

39 The government considered fast tracking this legislation necessary because it is a short, self-contained Act with a very specific and limited scope.

40 This fast-tracking did not apply to the Act's passage through the House of Lords, which followed the usual procedure for money bills.

[9] House of Lords' Constitution Committee, 15th report of session 2008/09, HL paper 116-I.

[10] House of Lords' Constitution Committee, 15th report of session 2008/09, HL paper 116-I, para. 186.

Annex A - Hansard References

41 The following table sets out the dates and Hansard references for each stage of the Act's passage through Parliament.

Stage	Date	Hansard Reference
House of Commons		
Introduction	5 March 2026	Votes and Proceedings No. 257
Second Reading	17 March 2026	Vol. 782 Col. 818
Committee of Whole House & Third Reading	17 March 2026	Vol. 782 Col. 830
House of Lords		
Introduction	18 March 2026	Vol. 854
Second Reading	14 April 2026	Vol. 855 Col. 273
Committee of Whole House	14 April 2026 [negatived]	Vol. 855 Col. 295
Third Reading	14 April 2026	Vol. 855 Col. 295
Commons Consideration of Lords Amendments	N/A	N/A
Royal Assent	29 April 2026	House of Commons Volume 784
		House of Lords: Volume 855

© Crown copyright 2026

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

williams lea | tso
An RRD Company

Published by TSO (The Stationery Office), part of Williams Lea, and available from:

Online
www.tsoshop.co.uk

Mail, Telephone & E-mail
TSO
PO Box 29, Norwich, NR3 1GN
Telephone orders/General enquiries: 0333 202 5070
E-mail: customer.services@tso.co.uk
Textphone: 0333 202 5077

ISBN 978-0-10-561124-0

9 780105 611240