

THE SCOTTISH PARLIAMENT SALARIES SCHEME

1. (1) In this Scheme-

"the Act" means the Scotland Act 1998;

"general election" means an ordinary or extraordinary general election for membership of the Parliament held under section 2 or section 3 of the Act;

"year" means a year starting with 1st April and,

"index" means any index of prices or earnings.

(2) For the purposes of this Scheme, a person who is a member of the Parliament immediately before the Parliament is dissolved shall be treated-

(a) if he or she continues to hold office by virtue of section 19(2) (term of office of the Presiding Officer and deputies) of, or paragraph 1 of Schedule 2 (term of office of members of the Parliamentary corporation) to, the Act, as if he or she were such a member until the end of the day on which he or she ceases to hold such office; and

(b) if he or she does not fall within sub-paragraph (a) but is nominated as a candidate at the subsequent general election, as if he or she were such a member until the end of the day on which the election is held.

2. (1) Subject to sub-paragraph (2) and paragraph 8, there shall be payable to every member of the Parliament a salary at the yearly rate of £48,228.

(2) For any period during which a salary is payable to a member of the Parliament pursuant to a resolution (or combination of resolutions) of either House of Parliament relating to the remuneration of members of that House, or under section 1 of the European Parliament (Pay and Pensions) Act 1979 (remuneration of United Kingdom MEPs), the yearly rate of the salary payable by virtue of this scheme to that member for that period shall be reduced by two-thirds.

(3) The salary payable by virtue of this paragraph to a member of the Parliament shall be payable from 1 April 2002 and, for any member elected after that date, for the period beginning with the day on which he or she is declared to be returned as a member of the Parliament and ending with the day on which the member ceases to be a member of the Parliament.

3. (1) Subject to paragraph 8, in addition to any salary payable by virtue of paragraph 2-

(a) there shall be payable to a member of the Parliament holding the office of Presiding Officer a salary at the yearly rate of £36,240; and

(b) there shall be payable to a member of the Parliament holding the office of deputy Presiding Officer a salary at the yearly rate of £22,699.

(2) The salary payable by virtue of this paragraph to a member of the Parliament holding any such office shall be payable from 1 April 2002, and for any member elected to such office after that date, from the date of that election, for the period during which he or she holds that office.

4. (1) Subject to paragraph 8, in addition to any salary payable by virtue of paragraph 2, there shall be payable from 1 April 2002, or where appointed to such office after that date, the date of appointment,

(a) to the holder of any office specified in the first column of the Schedule to this scheme a salary at the yearly rate specified in relation to that office in the second column of that Schedule, and

(b) to the holder of such other office as the Parliamentary corporation may determine, a salary at the yearly rate determined by the Parliamentary corporation, for the period during which such office holder holds that office.

(2) If the holder of the office of Lord Advocate or Solicitor General for Scotland is not a member of the Parliament, the yearly rate specified in relation to that office in the second column of the Schedule shall be increased by the amount of the yearly rate of salary that would be payable to him or her by virtue of paragraph 2 if he or she were a member of the Parliament.

(3) The salary payable by virtue of this paragraph to the holder of any office specified in the first column of the Schedule to this scheme shall be payable for the period during which he or she holds that office.

5. (1) Subject to paragraph 7, for each year, from the year starting with 1st April 2003 onwards, the yearly rate of any salary payable under paragraphs 2,3 and 4 shall be increased as specified in this paragraph.

(2) With reference to any salary payable under paragraph 2 the increase shall be such amount which maintains that salary at 87.5 percent of the salary payable to a member of the House of Commons.

(3) With reference to any salary payable under paragraphs 3 or 4 the increase shall be the amount arrived at by applying the percentage increase to those salaries which is the percentage which maintains a salary payable under paragraph 2 at the 87.5 percent stated in sub paragraph (2) of this paragraph.

6. (1) The yearly rate specified in this scheme in relation to any salary payable by virtue of this scheme shall be taken to be the maximum amount so payable in any year and accordingly-

(a) notwithstanding the provisions of this scheme as to any such rate, the salary so payable in any year may be of a lesser amount than that so specified; and

(b) where any period, or part of a period, for which a salary is payable under this scheme is less than a year, the maximum amount of salary so payable for that period, or part of that period, shall be a proportionate part of the yearly rate.

(2) Any salary payable by virtue of the scheme shall be paid by the Parliamentary corporation.

(3) A person to whom any salary is payable by virtue of paragraphs 3 or 4 shall be entitled to receive only one such salary, but if he or she is the holder of two or more offices in respect of which a salary is so payable and there is a difference between the yearly rate of salaries payable in respect of those offices, the office in respect of which a salary is payable to him or her shall be that in respect of which the highest salary is payable.

7. (1) The Parliamentary corporation shall, at such intervals as it deems appropriate, make arrangements to review and determine the salaries payable under paragraphs 2, 3 and 4 and, in consequence of a review, shall determine the salaries payable.

(2) In discharging its function under sub paragraph (1), the Parliamentary corporation shall obtain advice on salary levels from such person or persons as it deems appropriate and, in relation to the review of salaries payable by virtue of paragraph 4, shall, in addition, consult the First Minister.

(3) In determining the salaries to be paid in consequence of a review in accordance with this paragraph, the Parliamentary corporation shall have regard to any recommendations made to it by the person or persons referred to in sub paragraph (2).

(4) Where the Parliamentary corporation determines the salaries to be paid in consequence of a review in accordance with this paragraph, the uprating provisions in paragraph 5 need not apply and, in that event, the provisions of sub paragraph (5) of this paragraph shall apply.

(5) For each year, from the year starting with 1 April following the determination of salaries under this paragraph, the yearly rate of any such salary payable shall be increased by the Parliamentary corporation by an amount determined by applying the percentage increase in such index as the Parliamentary corporation considers appropriate.

(6) The Parliamentary corporation may pay such reasonable fees and expenses to the person or persons referred to in sub paragraph (2) other than the First Minister.

8. (1) For any period during which a member of the Parliament is imprisoned, the salary payable to that member by virtue of paragraph 2(1) shall be reduced by 90%.

(2) For any period during which a member of the Parliament holding the office of Presiding Officer or deputy Presiding Officer is imprisoned, the salary payable by virtue of paragraph 3(1) shall be reduced by 90%.

(3) For any period during which the holder of an office to whom a salary is payable by virtue of paragraph 4(1) is imprisoned, that salary shall be reduced by 90%.

Schedule

Salaries of members of the Scottish Government and junior Scottish Ministers

<i>Office</i>	<i>Yearly rate of salary</i>
	£
First Minister	69,861
Lord Advocate	47,349
Solicitor General for Scotland	34,237
Member of the Scottish Government other than the First Minister, the Lord Advocate or the Solicitor General for Scotland	36,240
Junior Scottish Minister	22,699