

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;

"Schedule" means the Schedule to this Scheme; and "year" means a year starting on 1st April.

(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 paragraphs 5 and 7, there shall be payable to every member of the Parliament a salary at the yearly rate specified in Part 1 of the Schedule.

(2) For any period during which a salary is payable to a member of the Parliament under section 4 of the Parliamentary Standards Act 2009 (salaries of members of the House of Commons) or pursuant to a resolution of the House of Lords 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 2015 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 paragraphs 5 and 7, 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 specified in Part 2 of the Schedule in relation to that office; 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 specified in Part 2 of the Schedule in relation to that office.
- (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 2015, 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 paragraphs 5 and 7, in addition to any salary payable by virtue of paragraph 2, there shall be payable from 1 April 2015, or where appointed to such office after that date, the date of appointment,
- (a) to the holder of any office specified in Part 3 of the Schedule a salary at the yearly rate specified in relation to that office in Part 3 of the 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 Part 3 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 Part 3 of the Schedule shall be payable for the period during which he or she holds that office.

5. Subject to paragraph 8, for each year starting from 1 April 2016 any salary payable by virtue of the Scheme shall be amended to reflect any increase in the index for the mean annual earnings of public-sector full time workers in Scotland as provided for by the Annual Survey of Hours and Earnings produced by the Office of National Statistics, or such other index as the Parliamentary Corporation may from time to time deem appropriate.
6. (1) The yearly rate specified in this Scheme in relation to any salary payable by virtue of the 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 this 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) 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%.
8. (1) The Parliamentary corporation may, 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).