



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.

^{F1}(3)

^{F2}(3A) The annual amount of the salary paid to a person in respect of the office of Chairman of Ways and Means or Deputy Chairman of Ways and Means is the difference between—

- (a) the annual amount of the salary payable under section 4 of the Parliamentary Standards Act 2009 to a person holding that office, and
 - (b) the annual amount of the salary payable under that section to a member of the House of Commons who does not hold an office or position specified in a resolution of that House for the purposes of section 4A(2) of that Act (higher salaries for holders of specified offices or positions).]
- (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—

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^{F3}... 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);
- [^{F4}(ba) the office of Speaker of the House of Lords;]
- [^{F5}(bb) the office of Lord Chancellor;]
- [^{F5}(bc) the office of Speaker of the House of Commons;]
- ^{F4}(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.
- ^{F6}(7)
- (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 ^{M1}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 ^{M2}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(3) omitted (24.5.2011) by virtue of [Constitutional Reform and Governance Act 2010 \(c. 25\)](#) , s. 52 , [Sch. 5 para. 10\(a\)](#) ; S.I. 2011/1274 , art. 2(b)
- F2** S. 4(3A) inserted (24.5.2011) by [Constitutional Reform and Governance Act 2010 \(c. 25\)](#) , s. 52 , [Sch. 5 para. 10\(b\)](#) ; S.I. 2011/1274 , art. 2(b)
- F3** Words in s. 4(6)(a) repealed (25.4.2013) by [Public Service Pensions Act 2013 \(c. 25\)](#) , s. 41(1)(b) , [Sch. 11 para. 2\(a\)](#) (with [Sch. 11 para. 8](#))
- F4** 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.)
- F5** S. 4(6)(bb)(bc) inserted (25.4.2013) by [Public Service Pensions Act 2013 \(c. 25\)](#) , s. 41(1)(b), [Sch. 11 para. 2\(b\)](#) (with [Sch. 11 para. 8](#))
- F6** S. 4(7) omitted (24.5.2011) by virtue of [Constitutional Reform and Governance Act 2010 \(c. 25\)](#) , s. 52 , [Sch. 5 para. 10\(c\)](#) ; S.I. 2011/1274 , art. 2(b)

Modifications etc. (not altering text)

- C1** S. 4(2) modified (1.3.2021) by [Ministerial and other Maternity Allowances Act 2021 \(c. 5\)](#) , [ss. 3\(4\)\(b\)](#) , [7\(2\)](#)

Marginal Citations

- M1** 1984 c. 52 .

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)

M2 1988 c. 1 .

Changes to legislation:

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