



Scotland Act 1998

1998 CHAPTER 46

PART II

THE SCOTTISH ADMINISTRATION

Ministers and their staff

44 The [F¹Scottish Government].

- (1) There shall be a [F¹Scottish Government], whose members shall be—
 - (a) the First Minister,
 - (b) such Ministers as the First Minister may appoint under section 47, and
 - (c) the Lord Advocate and the Solicitor General for Scotland.
- (2) The members of the [F¹Scottish Government] are referred to collectively as the Scottish Ministers.
- (3) A person who holds a Ministerial office may not be appointed a member of the [F¹Scottish Government]; and if a member of the [F¹Scottish Government] is appointed to a Ministerial office he shall cease to hold office as a member of the [F¹Scottish Government].
- (4) In subsection (3), references to a member of the [F¹Scottish Government] include a junior Scottish Minister and “Ministerial office” has the same meaning as in section 2 of the ^{M1}House of Commons Disqualification Act 1975.

Textual Amendments

- F1** Words in Act substituted (3.7.2012) by [Scotland Act 2012 \(c. 11\)](#), **ss. 12(2)(a), 44(5)** (with s. 12(3)); [S.I. 2012/1710](#), **art. 2(f)**

Commencement Information

- II** S. 44(1)(a)(b),(2)-(4) in force at 6.5.1999, s. 42(1)(c) in force at 20.5.1999 by [S.I. 1998/3178](#), **art. 2(2)**

*Changes to legislation: There are currently no known outstanding effects
for the Scotland Act 1998, Section 44. (See end of Document for details)*

Marginal Citations

M1 1975 c. 24.

Changes to legislation:

There are currently no known outstanding effects for the Scotland Act 1998, Section 44.