

Status: Point in time view as at 07/05/2010. This version of this schedule contains provisions that are not valid for this point in time.
Changes to legislation: There are currently no known outstanding effects for the Constitutional Reform and Governance Act 2010, SCHEDULE 5. (See end of Document for details)

SCHEDULES

SCHEDULE 5

Section 38

PARLIAMENTARY STANDARDS: CONSEQUENTIAL AMENDMENTS

PART 1

AMENDMENTS OF THE PARLIAMENTARY STANDARDS ACT 2009

1 The Parliamentary Standards Act 2009 is amended as follows.

Commencement Information

I1 Sch. 5 para. 1 in force at 19.4.2010 by S.I. 2010/1277, art. 2(d)(i)

2 In section 2(2) (effect of Act on House of Lords)—
(a) omit paragraph (a), and
(b) in paragraph (c) for “paragraphs 4(2) and 8(1)” substitute “ paragraph 8(2) ”.

Commencement Information

I2 Sch. 5 para. 2(a) in force at 7.5.2010 by S.I. 2010/1277, art. 3(i)(i)

I3 Sch. 5 para. 2(b) in force at 19.4.2010 by S.I. 2010/1277, art. 2(d)(ii)

3 In section 5(8) (allowances) for the words from “and” to the end substitute “ and in relation to any such allowances, references in this Act to a member of the House of Commons include a former member of that House. ”

Commencement Information

I4 Sch. 5 para. 3 in force at 7.5.2010 by S.I. 2010/1277, art. 3(i)(ii)

4 (1) Section 12 (interpretation) is amended as follows.
(2) In subsection (1)—
(a) for “ “the Commissioner” ” substitute “the Compliance Officer” , and
(b) omit the definition of “the MPs' code of conduct relating to financial interests”.
(3) In subsection (2)—
(a) after “committee” (in each place) insert “ or officer ”, and
(b) in paragraph (a) for “its” substitute “ the ”.

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- I5** Sch. 5 para. 4(1)(2)(a) in force at 19.4.2010 by S.I. 2010/1277, **art. 2(d)(iii)**
I6 Sch. 5 para. 4(2)(b) in force at 7.5.2010 by S.I. 2010/1277, **art. 3(i)(iii)**

- 5 (1) Section 13 (transitional provision) is amended as follows.
 (2) Omit subsection (2)(b) and (c).
 (3) In subsection (4) and (6)(c) for “Commissioner” substitute “ Compliance Officer ”.

Commencement Information

- I7** Sch. 5 para. 5(1)(3) in force at 19.4.2010 by S.I. 2010/1277, **art. 2(d)(iv)**
I8 Sch. 5 para. 5(2) in force at 7.5.2010 by S.I. 2010/1277, **art. 3(i)(iv)**

- 6 In section 14 (commencement) omit subsection (2)(d).

Commencement Information

- I9** Sch. 5 para. 6 in force at 7.5.2010 by S.I. 2010/1277, **art. 3(i)(v)**

- 7 (1) Schedule 1 (the IPSA) is amended as follows.
 (2) Omit paragraph 10 and the heading above it.
 (3) In paragraph 18(1)—
 (a) for paragraph (a) substitute—
 “(a) section 4 (MPs' salaries), so far as relating to the payment
 (but not the determination) of salaries,”
 (b) in paragraph (c), after “claims)” insert “ (except as mentioned in sub-
 paragraph (2) below) ”, and
 (c) omit the words following paragraph (c).
 (4) In paragraph 18(2)—
 (a) before paragraph (a) insert—
 “(za) sections 4 and 4A (MPs' salaries) (except as mentioned in
 sub-paragraph (1) above),”,
 (b) after paragraph (a) insert—
 “(aa) section 6(10) (determining procedures for publication of
 allowances claims),”,
 (c) omit paragraph (b) (and the “and” following it), and
 (d) for paragraph (c) substitute—
 “(c) section 9(8)(b) and (9) (determining conditions),
 (d) section 9A (determining procedures for investigations etc),
 (e) paragraphs 1, 2(2), 4(2) and 9(2) of Schedule 2
 (appointment and removal of Compliance Officer etc), and
 (f) paragraphs 2, 8 and 9 of Schedule 4 (scheme, guidance etc
 for Compliance Officer).”

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- (5) In paragraph 22(8) for “Any repayments” substitute “ Any payments received by the IPSA as a result of a repayment direction under Schedule 4, and any repayments otherwise ”.

Commencement Information

- I10** Sch. 5 para. 7(1) in force at 19.4.2010 by S.I. 2010/1277, art. 2(d)(v)
I11 Sch. 5 para. 7(2)(3)(c)(4)(c) in force at 7.5.2010 by S.I. 2010/1277, art. 3(i)(vi)
I12 Sch. 5 para. 7(4)(d) in force at 19.4.2010 for specified purposes by S.I. 2010/1277, art. 2(d)(v)

VALID FROM 24/05/2011

PART 2

AMENDMENTS OF OTHER ACTS

European Parliament (Pay and Pensions) Act 1979 (c. 50)

- 8 (1) In section 1(2) (salaries of MEPs) for paragraphs (a) and (b) substitute “ the same as that of the salary payable for that period, under section 4 of the Parliamentary Standards Act 2009, to a Member who does not hold an office or position specified in a resolution of the House of Commons for the purposes of section 4A(2) of that Act (higher salaries for holders of specified offices or positions). ”
- (2) Omit section 5 (salary to be used for calculating pension benefits).
- (3) In section 8(1) (interpretation) omit the definition of “ a Member's ordinary salary ” and “ a Member's pensionable salary ”.

Commencement Information

- I13** Sch. 5 para. 8 in force at 24.5.2011 by S.I. 2011/1274, art. 2(b)

Parliamentary and other Pensions Act 1987 (c. 45)

- 9 In section 5(2) (interpretation) for the words from “such resolutions” to the end substitute—
- “(a) section 4 of the Parliamentary Standards Act 2009, or
(b) in relation to a time before that section was in force, the resolutions of the House of Commons then in force relating to the remuneration of its members.”

Commencement Information

- I14** Sch. 5 para. 9 in force at 24.5.2011 by S.I. 2011/1274, art. 2(b)

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Ministerial and other Pensions and Salaries Act 1991 (c. 5)

- 10 In section 4 (grants to persons ceasing to hold ministerial and other offices)—
- (a) omit subsection (3),
 - (b) after that subsection insert—
 - “(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).”
 - (c) omit subsection (7).

Commencement Information

I15 Sch. 5 para. 10 in force at 24.5.2011 by S.I. 2011/1274, art. 2(b)

Scotland Act 1998 (c. 46)

- 11 (1) Section 82 (limits on salaries of MSPs) is amended as follows.
- (2) In subsection (1)—
- (a) before paragraph (a) insert—
 - “(za) under section 4 of the Parliamentary Standards Act 2009 (salaries of members of the House of Commons),”
 - (b) in paragraph (a) for “either House of Parliament” substitute “ the House of Lords ”.
- (3) In subsection (2)(b) for “(1)(a)” substitute “ (1)(za), (a) ”.

Commencement Information

I16 Sch. 5 para. 11 in force at 24.5.2011 by S.I. 2011/1274, art. 2(b)

Government of Wales Act 2006 (c. 32)

- 12 (1) Section 21 (limits on salaries of Assembly members) is amended as follows.
- (2) In subsection (1)—
- (a) before paragraph (a) insert—
 - “(za) under section 4 of the Parliamentary Standards Act 2009 (salaries of members of the House of Commons),”
 - (b) in paragraph (a) for “either House of Parliament” substitute “ the House of Lords ”.

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(3) In subsection (2)(b) for “(1)(a)” substitute “ (1)(za), (a) ”.

Commencement Information

I17 Sch. 5 para. 12 in force at 24.5.2011 by S.I. 2011/1274, art. 2(b)

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