

## SCHEDULES

### SCHEDULE 5

Regulation 101

#### Councillor Members

##### *BENEFITS*

###### *Preliminary*

1. Omit regulation 93 (certificate of protection).

##### *OPTIONAL ADDITIONAL BENEFITS*

###### *Shared Cost Schemes*

2. In regulation 17 (additional voluntary contributions) omit the words “shared cost additional voluntary contributions” and the words “or SCAVCS” where they occur.

###### *Increase of Pension*

3. Omit regulation 30 (award of additional pension).

##### *ADMINISTRATION*

4. In regulation 16 omit paragraphs (2)(e) and (4)(d).
5. For regulation 20 substitute—

“**20.**—(1) A councillor member’s pensionable pay in any year is the total of all payments of remuneration to the councillor by the local authority under the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007, including any payments made in respect of a councillor’s functions as convenor or vice-convenor of a joint board.

(2) All references to “pay” in these Regulations and in the Local Government Pension Scheme (Administration) (Scotland) Regulations 2008(1) in respect of a councillor member and the councillor membership shall be construed in accordance with paragraph (1).”

6. Omit regulation 21 (assumed pensionable pay).
7. Omit regulation 29(6) (flexible retirement).
8. Omit regulation 30 (award of additional pension).
9. In regulation 34 (early leavers: ill-health)—
  - (a) for paragraph (1) substitute—

“(2) Where a councillor member ceases to be a member of the member’s local authority on the grounds of ill-health or infirmity of mind or body before reaching normal pension age, the member is entitled to and must take early payment of a retirement pension if that member satisfies the conditions in paragraph (3) of this regulation.”; and

- (b) for paragraph (3) substitute—

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(1) [S.S.I. 2008/228](#).

**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

“(3) The condition is that the member is, as a result of ill-health or infirmity of mind or body, permanently incapable of discharging efficiently the duties of that local authority office.”.