

**2007 No. 168**

**LOCAL GOVERNMENT**

**Local Government (Payments to Councillors) (Amendment)  
Regulations (Northern Ireland) 2007**

*Made* - - - - - *14th March 2007*

*Coming into operation* - - - - - *6th April 2007*

The Department of the Environment makes the following Regulations in exercise of the powers conferred by section 36 of the Local Government Act (Northern Ireland) 1972(a) and now vested in it(b).

**Citation and commencement**

1. These Regulations may be cited as the Local Government (Payments to Councillors) (Amendment) Regulations (Northern Ireland) 2007 and shall come into operation on 6th April 2007.

**Amendment of the Local Government (Payments to Councillors) Regulations (Northern Ireland) 1999**

2. The Local Government (Payments to Councillors) Regulations (Northern Ireland) 1999(c) shall be amended in accordance with regulations 3 to 8.

3. In regulation 3 (basic allowance)—

- (a) in paragraph (1) for the words “other than” there shall be substituted “including”; and
- (b) in paragraph (2) the words “but shall not exceed such amount as the Department may from time to time determine” shall be deleted.

4. Regulation 4 (attendance allowance) shall be deleted.

5. In regulation 5 (special responsibility allowance)—

- (a) in paragraph (1) the words “or 4” shall be deleted;
- (b) in paragraph (2) the words “, but shall not exceed such amount as the Department may from time to time determine” shall be deleted.

6. After regulation 5 (special responsibility allowance) there shall be inserted—

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(a) 1972 c.9 (N.I.) as amended by S.I. 1978/1041 (N.I. 11) Art. 9(a).

(b) S.R. & O (N.I. 1973 No. 504 Art 7(1); Northern Ireland Constitution Act 1973 (c.36) Sch. 5 para. 8(1) and S.I. 1976/424 (N.I. 6)

(c) S.R. 1999 No. 449.

**“Dependants’ carers’ allowance**

**5A.**—(1) Subject to paragraphs (2) to (4), a council may, in addition to any allowance under regulations 3 and 5, make a payment to a councillor by way of an allowance (dependants’ carers’ allowance), in respect of such expenses of arranging for the care of his children or dependants as are necessarily incurred in respect of the performance of any approved duty.

(2) The amount of dependants’ carers’ allowance shall be such amount as is determined by the council.

(3) The amount of dependants’ carers’ allowance shall be the lesser of—

- (a) the actual expenses of arranging for the care of their children or dependants as are necessarily incurred in respect of the performance of any approved duty; or
- (b) such amount as is determined by the council, or as the case may be, a joint committee.

(4) The council shall not make any payment under this regulation—

- (a) in respect of any child over the age of fifteen years or dependant unless the councillor satisfies the council that the child or dependant required supervision which has caused him to incur expenses that were necessary in respect of the care of that child or dependant in the carrying out of an approved duty by him;
- (b) to more than one councillor of the council in relation to the care of the same child or dependant; or
- (c) more than one dependants’ carers’ allowance to any councillor of the council.”.

**7.** In regulation 6 (claims for allowances)—

- (a) for “4” there shall be substituted “5A”;
- (b) in sub-paragraph (a) for the words “approved duty to which the claim refers; and” there shall be substituted “dependants’ carers’ allowance to which the claim refers;”;
- (c) for sub-paragraph (b) there shall be substituted—
  - “(b) the amounts claimed are strictly in accordance with the regulations;
  - (c) that the care to which the claim refers has been provided;
  - (d) that the costs to which the claim refers have been necessarily incurred; and
  - (e) that he has actually paid the costs of the care to which the claim refers.”.

**8.** In regulation 7 (time for submission of claims) for “4” there shall be substituted “5A”.

Sealed with the Official Seal of the Department of the Environment on 14th March 2007.



*J Ritchie*  
A senior officer of the Department of the Environment

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Local Government (Payments to Councillors) Regulations (Northern Ireland 1999 with effect from 6th April 2007.

These Regulations abolish attendance allowance and introduce a dependants' carers' allowance.