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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 415**

**LOCAL GOVERNMENT**

**The Local Governance (Scotland) Act 2004  
(Remuneration) Amendment Regulations 2008**

*Made - - - - 16th December 2008*  
*Laid before the Scottish*  
*Parliament - - - - 16th December 2008*  
*Coming into force - - 10th February 2009*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 18 of the Local Government and Housing Act 1989<sup>(1)</sup> and sections 11 and 16(2) of the Local Governance (Scotland) Act 2004<sup>(2)</sup> and of all other powers enabling them to do so.

In accordance with section 11(4) of the Local Governance (Scotland) Act 2004 the Scottish Ministers have considered information, advice and recommendations given to them by the Scottish Local Authorities Remuneration Committee.

**Citation and commencement**

1. These Regulations may be cited as the Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2008 and come into force on 10th February 2009.

**Amendment of The Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007**

2.—(1) The Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007<sup>(3)</sup> are amended in accordance with the following paragraphs.

(2) For regulation 6(2) (remuneration of the leader of the council) substitute—

“(2) Such amount is the following total yearly amount, depending on the banding of a local authority—

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(1) 1989 c. 42. The functions of the Secretary of State in section 18 transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).  
(2) 2004 asp 9.  
(3) S.S.I. 2007/183.

*Status: This is the original version (as it was originally made).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

		for the year ending 31st March 2009	from 1st April 2009
(a)	Band A –	£26,398	£27,058
(b)	Band B –	£31,678	£32,470
(c)	Band C –	£36,956	£37,880
(d)	Band D –	£47,516	£48,704”.

(3) For regulation 7(2) (remuneration of the civic head) substitute–

“(2) Such amount shall be determined by the local authority but shall not be more than the following total yearly amount, depending on the banding of a local authority–

		for the year ending 31st March 2009	from 1st April 2009
(a)	Band A –	£19,799	£20,294
(b)	Band B –	£23,759	£24,353
(c)	Band C –	£27,717	£28,410
(d)	Band D –	£35,637	£36,528”.

(4) For regulation 10 (councillors' remuneration) substitute–

“**10.** Each local authority shall pay remuneration to each of its Councillors of a total yearly amount of–

- (a) for the year ending 31st March 2009 – £15,838;
- (b) from 1st April 2009 – £16,234.”.

(5) For regulation 11(6)(a) (yearly payments to certain conveners) substitute–

- “(a) for the year ending 31st March 2009 be more than £21,119;
- (aa) from 1st April 2009 be more than £21,647;”.

(6) For regulation 12(2) (joint board convener and vice convener remuneration) substitute–

“(2) One convener and not more than two vice conveners of each joint board shall be paid remuneration, the remuneration to be paid by the local authority of which the convener or vice convener (as the case may be) is a member.”.

(7) In regulation 12(8) (yearly payments to certain joint board conveners) for “of £19,316” substitute–

“for the year ending 31st March 2009 of £19,799 and, from 1st April 2009, of £20,294”.

(8) In regulation 12(9) (yearly payments to certain joint board vice conveners) for “of £18,350” substitute–

“for the year ending 31st March 2009 of £18,809 and, from 1st April 2009, of £19,279”.

St Andrew’s House,  
Edinburgh  
16th December 2008

*JOHN SWINNEY*  
A member of the Scottish Executive

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## EXPLANATORY NOTE

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

These Regulations amend The Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 (“the principal regulations”). They substitute increased amounts for different categories of local authority payments to their members, for the years to 31st March 2009 and from 1st April 2009.

The provisions made for the year to 31st March 2009 have the effect of allowing local authorities to pay members in their various capacities an increase for the current year. Further, the provisions for the period from 1st April 2009 allow local authorities to increase councillor salaries from that date. The provisions made for both periods follow consideration of the Scottish Local Authorities Remuneration Committee views and recommendations contained in their report published in September 2008.

Regulation 2(2) makes provision for council leaders' remuneration.

Regulation 2(3) provides maximum levels for remuneration of civic heads, but allows each local authority to determine whether and to what extent such remuneration should be paid.

Regulation 2(4) sets new levels for councillor remuneration.

Regulation 2(5) addresses the remuneration of those councillors who are conveners of police or fire and rescue committees of either Dumfries and Galloway or Fife Council, or who have been nominated as responsible for either of those functions.

At present only two Strathclyde joint boards can have two remunerated vice-conveners, other joint boards being restricted to one. Regulation 2(6) will enable all joint boards to have two remunerated vice-conveners. As at present, the remuneration will be paid by the local authority of which the councillor is a member.

Regulations 2(7) and 2(8) set new levels of pay for those councillors who perform the role of convener or vice convener of those joint boards not included in regulation 12(4) of the principal regulations.

No Regulatory Impact Assessment has been carried out.