

## SCHEDULES

### SCHEDULE 5

#### Councillor Members

##### ADMINISTRATION

4. In regulation 16 (additional pension contributions) omit paragraphs (2)(e) and (4)(d).
5. For regulation 20 (meaning of pensionable pay) 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<sup>(1)</sup>, 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<sup>(2)</sup> in respect of a councillor member and the councillor membership shall be construed in accordance with paragraph (1).”

6. Regulation 21 (assumed pensionable pay) omitted except whilst a councillor is on reserve forces service leave.

7. After regulation 22(10) (pension accounts) insert—

“(11) In the case of a deferred member who has been a councillor member, an election under paragraph (7) or (8) may only aggregate councillor membership with former councillor membership and, as the case may be, membership which is not councillor membership with former membership which is not councillor membership.”

8. Omit regulation 29(7) (flexible retirement).

9. In regulation 34 (early leavers: ill-health)—

- (a) for paragraph (1) substitute—

“(1) 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—

“(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.”

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(1) S.S.I. 2007/183.

(2) S.S.I. 2008/228 was repealed with savings by S.S.I. 2014/233.