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WELSH STATUTORY INSTRUMENTS

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**2007 No. 1086**

**The Local Authorities (Allowances for Members) (Wales) Regulations 2007**

**PART 1**

General

**Title, commencement and application**

**1.**—(1) The title of these Regulations is the Local Authorities (Allowances for Members) (Wales) Regulations 2007 and these Regulations come into force on—

- (a) for the purposes of —
  - (i) this regulation;
  - (ii) regulation 2;
  - (iii) Part 6;
  - (iv) paragraphs (1), (5) to (8), (10) to (13), (15), (18), (19) and (21) to (23) of regulation 40;
  - (v) paragraphs (1), (5), (6), (7) and (11) to (13) of regulation 41; and
  - (vi) regulation 43,
- on 1 June 2007; and
- (b) for all other purposes, on the day that is four months after the day on which the National Assembly for Wales receives, in accordance with regulation 39(1), the report produced by the Panel under regulation 34.

(2) These Regulations apply in relation to Wales.

**Interpretation**

**2.** In these Regulations —

- “the 1972 Act” (“*Deddf 1972*”) means the Local Government Act 1972<sup>(1)</sup>;
- “the 2000 Act” (“*Deddf 2000*”) means the Local Government Act 2000;
- “the 2002 Regulations” (“*Rheoliadau 2002*”) means the Local Authorities (Allowances for Members of County and County Borough Councils and National Park Authorities) (Wales) Regulations 2002<sup>(2)</sup>;
- “alternative arrangements” (“*trefniadau amgen*”) means arrangements for the discharge of the functions of an authority which are of a type described in section 32(1) of the 2000 Act;

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(1) 1972 c. 70.

(2) S.I. 2002/1895 (W.196).

“annual report” (“*adroddiad blynyddol*”) means a report produced by the Panel in accordance with regulation 35 of these Regulations;

“approved duty” (“*dyletswydd a gymeradwywyd*”) means —

- (a) attendance at a meeting of the authority or of any committee of the authority or of any body to which the authority makes appointments or nominations or of any committee of such a body;
- (b) attendance at a meeting of any association of authorities of which the authority is a member;
- (c) attendance at any other meeting the holding of which is authorised by the authority or by a committee of the authority or by a joint committee of the authority and one or more other authorities;
- (d) a duty undertaken for the purpose of or in connection with the discharge of the functions of an executive where the authority is operating executive arrangements within the meaning of Part II of the 2000 Act;
- (e) a duty undertaken in pursuance of a standing order which requires a member or members to be present when tender documents are opened;
- (f) a duty undertaken in connection with the discharge of any function of the authority which empowers or requires the authority to inspect or authorise the inspection of premises;
- (g) attendance at any training or developmental event approved by the authority or its executive or board; and
- (h) any other duty approved by the authority, or any other duty of a class so approved, undertaken for the purpose of, or in connection with, the discharge of the functions of the authority or of any of its committees;

“authority” (“*awdurdod*”) means a county council or a county borough council;

“basic allowance” (“*lwfans sylfaenol*”) has the same meaning as in regulation 7 of these Regulations;

“board” (“*bwrdd*”) means the committee of an authority established under regulation 4 of the Local Authorities (Alternative Arrangements) (Wales) Regulations 2007(3);

“care allowance” (“*lwfans gofal*”) has the same meaning as in regulation 9 of these Regulations;

“committee” (“*pwyllgor*”) includes a sub-committee;

“co-opted member” (“*aelod cyfetholedig*”) means in relation to an authority a person who is not a member of the authority but who —

- (a) is a member of any committee or sub-committee of the authority; or
- (b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority,

and who is entitled to vote on any question which falls to be decided at any meeting of that committee or sub-committee;

“co-optees' allowance” (“*lwfans aelodau cyfetholedig*”) has the same meaning as in regulation 16 of these Regulations;

“executive” (“*gweithrediaeth*”) means the executive of an authority in a form as specified in section 11(2) to (5) of the 2000 Act;

“executive arrangements” (“*trefniadau gweithrediaeth*”) has the meaning given by section 10(1) of the 2000 Act;

“fire and rescue authority” (“*awdurdod tân ac achub*”) means a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies<sup>(4)</sup>;

“Fire and Rescue Authority Regulations” (“*Rheoliadau Awdurdod Tân ac Achub*”) means the Local Authorities (Allowances for Members of Fire Authorities) (Wales) Regulations 2004<sup>(5)</sup>;

“initial report” (“*adroddiad cychwynnol*”) means the report produced by the Panel in accordance with regulation 34;

“member” (“*aelod*”) includes in respect of Parts 2 to 5 of these Regulations and unless otherwise expressly stated a co-opted member and a member of a committee or sub-committee;

“National Park authority” (“*awdurdod Park Cenedlaethol*”) means a National Park authority established under section 63 of the Environment Act 1995<sup>(6)</sup>;

“Panel” (“*Panel*”) means the panel established in accordance with Part 6 of these Regulations;

“proper officer” (“*swyddog priodol*”) has the same meaning as in section 270(3) of the 1972 Act;

“scheme” (“*cynllun*”) means a scheme for the payment of allowances made in accordance with Parts 2 and 3 of these Regulations;

“special responsibility allowance” (“*lwfans cyfrifoldeb arbennig*”) has the same meaning as in regulation 8 of these Regulations;

“supplementary report” (“*adroddiad atodol*”) means a report produced by the Panel in accordance with regulation 36 of these Regulations;

“travelling and subsistence allowances” (“*lwfansau teithio a chynhالياeth*”) has the same meaning as in regulation 15 of these Regulations; and

“year” (“*blwyddyn*”) means—

- (a) for the purposes of regulation 28(2), a period of twelve months;
- (b) for the purposes of regulation 29(1), any period of twelve months ending on 31 December; and
- (c) for all other purposes —
  - (i) the period beginning on the date of the coming into force of these Regulations in accordance with regulation 1(1)(b) and ending on 31 March 2009; and
  - (ii) any period of 12 months ending on 31 March thereafter.

### **Prescribed relevant authorities**

**3.** Authorities are prescribed as relevant authorities for the purposes of section 100(1)(b) and (c) of the 2000 Act.

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<sup>(4)</sup> 2004 c. 21.

<sup>(5)</sup> S.I. 2004/2555 (W.227) as amended by S.I. 2005/2929 (W.214).

<sup>(6)</sup> 1995 c. 25.