
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under section 18 of the Local Government and Housing Act 1989 and sections 11 and 16(2) of the Local Governance (Scotland) Act 2004. They make provision for the payment by local authorities to their members, and to such members where they are also the conveners or vice-conveners of joint boards, of remuneration from and after the date of the next ordinary election that is held after 2nd May 2007.

Regulation 3 provides that each local authority may only pay remuneration amounts to its councillors where that is permitted in terms of the Regulations. Councillors may renounce receipt of any remuneration. A local authority shall pay contributions or other required payments in respect of those councillors that elect to become councillor members of the Local Government Pension Scheme.

Regulation 4 provides for the grading of councillors for the purposes of remuneration arrangements, as either the Leader of the Council, the Civic Head, Senior Councillors or Councillors.

Regulation 5 provides for the banding of local authorities (in Bands A to D) for the purposes of the remuneration arrangements.

Regulation 6 provides for the remuneration that requires to be paid to one Leader of the Council of each local authority.

Regulation 7 provides for the remuneration that may be payable to one Civic Head of each local authority.

Regulation 8 provides for the remuneration payable to Senior Councillors of each local authority, and for the maximum number of Senior Councillors permitted for each local authority.

Regulation 9 provides for the remuneration amounts each local authority may pay to Senior Councillors, the maximum yearly amount that may be paid to a Senior Councillor, and the maximum yearly amount payable by each local authority for remuneration of all its Senior Councillors. Each Senior Councillor must be paid more than the amount payable to a Councillor.

Regulation 10 provides for payment of remuneration of a stated yearly amount to Councillors.

Regulation 11 provides particular remuneration arrangements for certain councillors of Fife Council and Dumfries and Galloway Council, where they are involved in the functions of the Council as either police or fire and rescue authority, either as conveners or vice-conveners, or as councillors with responsibilities in these areas.

Regulation 12 provides for payment of remuneration to one convener and to the vice-conveners of each joint fire and rescue board and joint police board, of stated yearly amounts, not being less than the remuneration payable to that person, either as a Senior Councillor or a Councillor. Stated yearly amounts are payable to conveners and vice-conveners of other joint boards, again not being less than their Senior Councillor or Councillor remuneration. The regulation also provides for the local authority of which the convener or vice-convener is a member to make these payments, including pension contributions where the convener or vice-convener is a member of the Local Government Pension Scheme.

Regulation 13 provides for consequential amendment of Regulation 28 of the Local Authorities Etc. (Allowances) (Scotland) Regulations 1995 (“the 1995 Regulations”), disapplying that regulation to local authorities.

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

Regulation 14 provides for the revocation of various provisions of the 1995 Regulations. This has the general effect of revoking the local authority and joint board schemes for members allowances from the date of the next ordinary election.

Regulation 15 contains savings provisions in respect of claims for allowances and other payments up to the date of the election.