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STATUTORY INSTRUMENTS

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**1991 No. 351**

**The Local Authorities (Members' Allowances) Regulations 1991**

**PART III**

**SCHEMES – FINANCIAL RESTRICTIONS**

**Financial restrictions**

**12.** A scheme made under Part II shall provide that–

- (a) any payment under the scheme in relation to a year is conditional on the aggregate in relation to that year of amounts which the authority has paid out or is already liable to pay out under the scheme and in the nature of an attendance allowance under section 175 of the 1972 Act not exceeding such amount as is determined by applying the formula–

$$A + B - C,$$

where–

A is the relevant maximum for that year;

B is an amount, if any, determined by the authority, being an amount no greater than 5% of A; and

C is an amount equal to the amount, if any, by which the aggregate of the amounts paid by the authority in respect of the year preceding that to which the scheme relates by way of allowances under section 18 of the 1989 Act exceeded the relevant maximum for that year;

- (b) any payment by way of basic allowance for a year is conditional on the aggregate amount which the authority has paid out or is already liable to pay out by way of basic allowance in relation to that year not exceeding 95% of total estimated allowances for that year;
- (c) any payment to a particular member by way of special responsibility allowance for a year is conditional on the aggregate amount which the authority has paid out or is already liable to pay out by way of special responsibility allowance in relation to that year to that member not exceeding £7,500;
- (d) any payment by way of special responsibility allowance for a year is conditional on the aggregate amount which the authority has paid out or is already liable to pay out by way of special responsibility allowance in relation to that year not exceeding 25% of total estimated allowances for that year;
- (e) any payment by way of attendance allowance for a year is conditional on–
- (i) the aggregate amount which the authority has paid out or is already liable to pay out by way of attendance allowance in relation to that year not exceeding 70% of total estimated allowances for that year; and
- (ii) the aggregate amount which the authority has paid out or is already liable to pay out by way of attendance allowance and special responsibility allowance in relation to that year not exceeding 75% of total estimated allowances for that year; and

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- (iii) the aggregate amount which the authority has paid out or is already liable to pay out by way of attendance allowance and basic allowance in relation to that year not exceeding 95% of total estimated allowances for that year.