
WELSH STATUTORY INSTRUMENTS

2003 No. 895

The Local Authorities (Allowances for Members of Community Councils) (Wales) Regulations 2003

PART IV

Other Allowances

Definition of “approved duty”

9.—(1) Subject to the duties excluded by paragraph (2), for the purposes of sections 173, 175 and 176 of the 1972 Act “approved duty” means —

- (a) any of the following duties —
 - (i) attendance at a meeting of the authority or of any committee or sub-committee of the authority or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body;
 - (ii) attendance at any other meeting the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee, provided that —
 - (aa) where the authority is divided into two or more political groups, it is a meeting to which members of at least two such groups have been invited, or
 - (bb) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
 - (iii) attendance at a meeting of any association of authorities of which the authority is a member; and
 - (iv) attendance at any training or developmental event approved by the authority.
- (b) any duties undertaken on behalf of the authority —
 - (i) in pursuance of any Standing Order requiring a member or members to be present while tender documents are opened;
 - (ii) in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises; and
- (c) any other duty approved by an authority, or any duty of a class so approved, for the purpose of, or in connection with the discharge of its functions, or any of its committees or sub-committees.

(2) The duties excluded by this paragraph are those in respect of which the member receives remuneration otherwise than under Part II.

Allowances for attending conferences and meetings — financial restrictions on allowances under section 175 of the 1972 Act

10. Any payment of an allowance under section 175 of the 1972 Act in the nature of an attendance allowance (other than such a payment by an authority to which Part II of these Regulations applies to a member who is a councillor) shall not exceed £32.46 for any period not exceeding 24 hours and for this purpose a period of 24 hours shall begin at 3am.

Travel and subsistence allowances

11.—(1) Subject to paragraph (2), a member shall be entitled to receive payments by way of travel allowance or subsistence allowance at rates determined each year by the authority where expenditure on travel or subsistence is necessarily incurred by that member in the performance of an approved duty as a member of the authority.

(2) The rates of allowance determined for a year under paragraph (1) for travel by means of a private motor vehicle shall not exceed the rates of the equivalent allowances payable for that year to members of the National Assembly for Wales provided that, where the rate of any such allowance on the day immediately before the day on which these Regulations come into force is already in excess of the rate of the equivalent allowance payable for that year to members of the National Assembly for Wales, the rate of that allowance may continue at that level but shall not be increased until the rate of the equivalent allowance payable to members of the National Assembly for Wales is greater than that paid by the authority.

(3) Any claim for payment of travel and subsistence allowances in accordance with these Regulations (excluding claims for travel by means of a private motor vehicle) shall be accompanied by appropriate receipts proving actual expenses, subject to any requirement or limitation that an authority may determine.

(4) A member shall not be entitled to any payment under this Regulation in respect of the performance as such a member of an approved duty within the community, or in the case of a community grouped under a community council, the area of that group.