
WELSH STATUTORY INSTRUMENTS

2007 No. 1086

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

PART 3

Schemes — Further Provision

Amount of allowances

10. A scheme must specify in respect of any year to which it relates —

- (a) the amount or a means to ascertain the amount of the basic allowance; and
- (b) the amount or a means to ascertain the amount of special responsibility allowance and, where different amounts apply to different responsibilities, the amount or means to ascertain the amount applicable to each.

11. For the purposes of the period beginning on the date of the coming into force of these regulations in accordance with regulation 1(1)(b) and ending 31 March 2009 (“the first year”), the amount of entitlement of —

- (a) basic allowance;
- (b) special responsibility allowance; and
- (c) care allowance,

payable by an authority must not exceed such proportion of the maximum amount payable by way of each of those allowances as prescribed by the Panel as the number of days in the first year bears to the number of days in the period of twelve months ending 31 March 2009.

12.—(1) Subject to paragraphs (2) and (3), a scheme may make provision for an annual adjustment of allowances.

(2) Subject to paragraph (3), an annual adjustment to an allowance payable by an authority for any year -

- (a) must not exceed the amount prescribed by the Panel for —
 - (i) that allowance;
 - (ii) that authority; and
 - (iii) that year,

in an annual report or a supplementary report produced in pursuance of, respectively, regulation 35 or regulation 36; and

- (b) may only be made by reference to an index if the Panel has prescribed that such an index be used for that purpose -
 - (i) in relation to that allowance;
 - (ii) by that authority; and

(iii) for that year,

in an annual report or a supplementary report produced in pursuance of, respectively, regulation 35 or regulation 36.

(3) In the event that the Panel produces a supplementary report which prescribes matters described in paragraph (2)(a) or (b), an authority to which that report applies may —

- (a) for the year to which the supplementary report relates; and
- (b) in relation to the matters so prescribed,

make an adjustment of allowances payable by it for that year, notwithstanding that the authority may have made an adjustment of allowances under paragraph (1) in consequence of an earlier annual report produced by the Panel for that year.

(4) A scheme may provide that where payment of any allowance has already been made in respect of any period during which the member concerned —

- (a) is suspended or partially suspended from that member's responsibilities or duties as a member of the authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part;
- (b) ceases to be a member of the authority; or
- (c) is in any other way not entitled to receive the allowance in respect of that period,

the authority may require that such part of the allowance as relates to any such period be repaid to the authority.

Elections to forgo allowances

13. A scheme must provide that a member may, by notice in writing to the proper officer of the authority, elect to forgo any part of that member's entitlement to an allowance under the scheme.

Payments

14. A scheme may provide for payments of allowances to be made at such times as may be specified in it, and different times may be specified for different allowances.