

1973. No. 443

[C]

LOCAL GOVERNMENT**Payments to Councillors**

REGULATIONS, DATED 31ST OCTOBER 1973, MADE BY THE MINISTRY OF DEVELOPMENT UNDER SECTION 36 OF THE LOCAL GOVERNMENT ACT (NORTHERN IRELAND) 1972 WITH THE APPROVAL OF THE MINISTRY OF FINANCE.

The Ministry of Development on behalf of the Secretary of State and in exercise of the powers conferred on it by section 36 of the Local Government Act (Northern Ireland) 1972(a) and of every other power enabling it in that behalf and with the approval of the Ministry of Finance hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Local Government (Payments to Councillors) Regulations (Northern Ireland) 1973 and shall have effect from 1st October 1973.

Interpretation

2. In these Regulations—

“approved duty” means any of the following duties, that is to say—

- (a) attendance at a meeting of the council, or of any of its committees or sub-committees, or at a meeting of a joint committee or any of its sub-committees, or at a meeting of a group committee established under the provisions of the Local Government (Employment of Building Control Staff) Order (Northern Ireland) 1973(b) or the Local Government (Employment of Public Health Inspectors) Order (Northern Ireland) 1973(c);
- (b) the doing of anything approved by the council or, as the case may be, by the joint committee, or anything of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the council, or of any of its committees or sub-committees, or, as the case may be, of the joint committee or any of its sub-committees;

“attendance allowance” means a payment to a councillor in respect of the performance of any approved duty;

“committee member” means a person, not being a councillor, appointed to a committee or a sub-committee of a council or to a joint committee or a sub-committee of a joint committee under sections 18 or 19 of the Act;

“councillor” means a member of a council;

(a) 1972. c. 9 (N.I.).

(b) S.R. & O. (N.I.) 1973, No. 167.

(c) S.R. & O. (N.I.) 1973, No. 168.

“financial loss allowance” means a payment to a committee member in respect of any loss of earnings necessarily suffered or any additional expenses (other than expenses on account of travelling or subsistence) necessarily suffered or incurred by him for the purpose of enabling him to perform any approved duty;

“Ministry” means the Ministry of Development;

“the Act” means the Local Government Act (Northern Ireland) 1972.

Allowances

3.—(1) A council or a joint committee, as the case may be, shall make a payment to a councillor by way of attendance allowance of such amount as is determined by the council, or as the case may be by the joint committee, but not exceeding the amount prescribed in column (2) of the following table in respect of the period in column (1) which is appropriate in any period of 24 hours.

TABLE

<i>Period</i> (Column 1)	<i>Amount</i> (Column 2)
1. Not more than 4 hours . . .	£5
2. More than 4 hours . . .	£10

(2) A council or a joint committee, as the case may be, shall make a payment to a committee member in respect of the amount of any financial loss incurred or suffered by him but not exceeding the amount prescribed in column (2) of the following table in respect of the period in column (1) which is appropriate in any period of 24 hours.

TABLE

<i>Period</i> (Column 1)	<i>Amount</i> (Column 2)
1. Not more than 4 hours . . .	£2.75
2. More than 4 hours . . .	£5.50

Equality

4. The amount of any attendance allowance determined under these Regulations by a council or by a joint committee shall be the same for all councillors entitled to such allowance and for every approved duty in respect of which it is payable.

Claims for allowances

5. A councillor or a committee member entitled to an allowance under these Regulations shall make a claim for such allowance, in such form as the council or joint committee, as may be appropriate, may direct to the clerk of the council or as the case may be the chief officer of the joint committee and shall make a declaration that—

- (a) he has not and will not make any claim for allowances from any other body in respect of the approved duty to which the claim refers;
- (b) the amounts claimed are strictly in accordance with the Regulations; and
- (c) he has necessarily incurred or suffered any financial loss claimed for the purpose of enabling him to perform an approved duty.

Time for submission of claims

6. A claim for an allowance under these Regulations shall be submitted to the council or the joint committee as may be appropriate within 4 months from the date of the approved duty in respect of which the allowance is claimed:

Provided that the Ministry may, where there are exceptional circumstances, allow an extension of the period within which the claim may be submitted.

Records

7. The council, or as the case may be the joint committee, shall keep detailed records of all payments made to councillors or committee members under these Regulations, indicating the amounts paid to each councillor or committee member and the heads under which they were paid, and such records shall be open to inspection at all reasonable hours by any local elector for the district or for the districts appropriate to the joint committee.

Sealed with the Official Seal of the Ministry of Development for Northern Ireland this 31st day of October 1973.

(L.S.)

J. Marsh,
Assistant Secretary.

The Ministry of Finance on behalf of the Secretary of State hereby approves the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 31st day of October 1973.

(L.S.)

David Clement,
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations prescribe the maximum amounts and the conditions of payment of attendance and financial loss allowances to councillors and committee members of district councils.