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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make provision about the payment of allowances to members of local authorities and joint boards and certain related bodies.

Part II of the Regulations requires local authorities to make schemes for the payment to councillors of basic allowances (regulation 6) and special responsibility allowances (regulation 7) and empowers them to include in their schemes provision for attendance allowances (regulation 8).

Part III imposes financial restrictions in relation to schemes made under Part II. There is an overall ceiling (the “relevant maximum”) which is calculated by reference to the “standard maximum” or, if greater, the “transitional maximum” (regulation 13). These terms are defined in regulation 12(2). The Table in Schedule 2 to the Regulations is relevant for the determination of the “standard maximum”. Within that overall ceiling, there are further restrictions on their percentage of the estimated total that may be paid by way of particular allowances and the maximum that an individual may receive by way of special responsibility allowance.

Part IV empowers joint boards to make schemes for the payment of special responsibility allowances to members (regulations 16 and 17) and, for this purpose, any member of a joint board is to be treated as a councillor (regulation 15). Regulation 18 requires local authorities who appoint members to joint boards (“constituent councils”) to notify joint boards of any amounts they may allocate towards the payment of such allowances and makes provision for the apportionment of such payments among constituent councils. Regulation 19 imposes financial restrictions upon the payment of such allowances.

Part V imposes financial restrictions upon allowances payable under sections 45, 47 and 49A of the Local Government (Scotland) Act 1973 (“the 1973 Act”) (regulations 22-24).

Part VI deals with administrative arrangements. Regulations 25 to 28 make provision for the avoidance of duplication. Regulation 29 and Schedules 3 and 4 provide for claim form for allowances under sections 45 to 48 of the 1973 Act. Regulation 30 makes provision as to the body by whom certain allowances are to be paid. Regulation 31 requires records to be kept of payments under allowances schemes and under the 1973 Act and provides for public inspection of any such records.

Part VII provides for the revocation of certain existing regulations dealing with local authority allowances, subject to certain savings.