

## SCHEDULE

Regulation 44

### Councillor Members

## CONTRIBUTIONS

### *Pay*

1. For regulation 5 (meaning of “pensionable pay”) substitute—

“5.—(1) A councillor member’s pensionable pay in any year is the total of all payments of remuneration to the councillor by the local authority under the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007<sup>(1)</sup>, including any payments made in respect of a councillor’s functions as convenor or vice convenor of a joint board.

(2) All references to “pay” in these Regulations and in the Administration Regulations in respect of a councillor member and the councillor membership shall be construed in accordance with paragraph (1).

(3) “Career average pay” in these Regulations shall mean an amount equal to the total of a councillor member’s pay for each year or part year of the member’s active membership divided by the number of those years or part years.

(4) All references to “final pay” in these Regulations and in the Administration Regulations shall, in respect of a councillor member and councillor membership, be taken to mean “career average pay”.

(5) When calculating a councillor member’s career average pay, the pay for any year other than the final year shall be increased in proportion to the increase in the Retail Price Index from the last day of that year up to the last day of the month in which the councillor member’s active membership ends.

(6) “Year” means the 12 months ending with 31st March.

(7) “Final year” means the year during which, or at the end of which, the councillor member’s active membership ends.

(8) “Retail Price Index” means the index of retail prices for the United Kingdom published by the Office of National Statistics.

(9) No sum may be taken into account in calculating pensionable pay unless income tax liability has been determined on it.”

## BENEFITS

### *Preliminary*

2. For regulation 8(5) (calculation of length of periods of membership) substitute—

“8.—(5) The amount of any benefit payable as a result of a councillor’s membership is calculated by multiplying the councillor’s career average pay by the appropriate multiplier.

(6) The appropriate multiplier for a pension is—  
total councillor membership<sup>60</sup>”

3. Omit regulations 9 (final pay: general) and 11 (final pay: fees).

---

(1) S.S.I. 2007/183.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

*Retirement benefits*

4. Omit regulation 19 (early leavers: business efficiency and redundancy).
5. In regulation 20 (early leavers: ill health) for paragraph (1) substitute—

“(1) Where a councillor member ceases to be a member of the member’s local authority by reason of being permanently incapable of discharging efficiently the duties of that office because of ill health or infirmity of mind or body, the member is entitled to an ill health benefit.”.

*Death grants*

6. In regulation 23 (death grant: active members), for paragraphs (3) to (4) substitute—

“(3) The death grant of a councillor member the councillor member’s career average pay multiplied by 3.”
7. In regulation 32 (death grants: deferred members), for paragraph (3) substitute—

“(3) The death grant of a councillor member is 5 times the pension that would have been payable to the councillor member if the councillor member had retired at the date of death.”.
8. In regulation 35 (death grants: pensioner members), for paragraph (3) substitute—

“(3) The death grant for a councillor member is an amount equal to 10 times the councillor member’s pension less the amount of any pension paid to the councillor member.”.

**OPTIONAL ADDITIONAL BENEFITS**

*Increases of membership and pensions*

9. Omit regulations 12 (power of employing authority to increase total membership of active members) and 13 (power of employing authority to award additional pension).