



STATUTORY INSTRUMENTS.

S.I. No. 494 of 2017



LOCAL GOVERNMENT (EXPENSES OF LOCAL AUTHORITY
MEMBERS) (AMENDMENT) REGULATIONS 2017

LOCAL GOVERNMENT (EXPENSES OF LOCAL AUTHORITY MEMBERS) (AMENDMENT) REGULATIONS 2017

I, JOHN PAUL PHELAN, Minister of State at the Department of Housing, Planning and Local Government, in exercise of the powers conferred on me by sections 4 and 142 (as amended by section 53 of the Local Government Reform Act 2014 (No.1 of 2014) of the Local Government Act 2001 (No. 37 of 2001), section 4 of the Local Government Reform Act 2014 (No.1 of 2014) and the Housing, Planning and Local Government (Delegation of Ministerial Functions) Order 2017 (S.I. No. 473 of 2017) and with the consent of the Minister for Finance and Public Expenditure and Reform (pursuant to the Ministers and Secretaries Acts 1924 to 2017) hereby make the following regulations:

Citation and construction

1. (1) These Regulations may be cited as the Local Government (Expenses of Local Authority Members) (Amendment) Regulations 2017.

(2) The Principal Regulations and these Regulations may be cited together as the Local Government (Expenses of Local Authority Members) Regulations 2014 and 2017 and shall be construed together as one.

Definitions

2. In these Regulations “Principal Regulations” means the Local Government (Expenses of Local Authority Members) Regulations 2014 (S.I. No. 236 of 2014).

Amendments

3. The Principal Regulations are amended—

(a) by inserting the following after article 5:

“5A. With effect from 1 July 2017 a member may choose to claim vouched expenses instead of the fixed annual rate referred to under article 5(1) in respect of expenses which the member is obliged to incur in the performance of his or her duties as a member, where evidence in the form of vouchers or receipts is available to show that the expenses were incurred.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 17th November, 2017.

5B. The payment of vouched expenses by a local authority to a member shall be made in accordance with and shall not exceed an amount determined in accordance with directions pursuant to article 17.

5C. Any member who is paid an amount under article 5A shall, in accordance with directions pursuant to article 17, retain evidence in the form of vouchers or receipts to show that the expenses were incurred.

5D. Vouched expenses shall not be claimed by a member or payable by a local authority in respect of expenses against which reimbursement is otherwise provided by a local authority under these Regulations.

5E. Vouched expenses shall not be claimed by a member or payable by a local authority in respect of expenses against which reimbursement is otherwise provided by an external body.”,

(b) by inserting the following after article 14(2):

“PART VIA

**ALLOWANCE FOR MEMBERS OF MUNICIPAL DISTRICTS
AND AREA COMMITTEES**

Municipal Districts

14A. With effect from 1 July 2017 a local authority may, subject to and in accordance with directions given by the Minister under article 17, pay an annual amount to municipal district members.

Area Committees

14B. With effect from 1 July 2017 a local authority to which section 50 of the Act applies may, subject to and in accordance with directions given by the Minister under article 17, pay an annual amount to members who hold membership of an area committee established under that section.”

and

(c) by inserting the following after article 17(2)(p):

“(q) the rules, requirements, conditions, restrictions, limits, procedures or any other provisions which apply in respect of the claiming or payment of vouched expenses under articles 5A to 5E, and

(r) the amount of the allowance paid to members under article 14A and 14B.”

GIVEN under my hand,
10 November 2017.

JOHN PAUL PHELAN,
Minister of State at the Department of Housing, Planning and
Local Government.

The Minister for Finance and Public Expenditure and Reform hereby consents to the Local Government (Expenses of Members of Local Authorities) (Amendment) Regulations 2017.



GIVEN under the Official Seal of the Minister for Finance and Public Expenditure and Reform,
10 November 2017.

PASCHAL DONOHOE,
Minister for Finance and Public Expenditure and Reform.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations amend the Local Government (Expenses of Local Authority Members) Regulations 2014 (S.I. No. 236 of 2014) which provide for the payment of expenses and allowances to members of local authorities.

These Regulations introduce an option whereby local authority members may choose, with effect from 1 July 2017, to claim for payment against vouched annual expenses as part of the annual expenses allowance in place of the unvouched fixed annual rate. The payment of vouched expenses shall be made by local authorities in accordance with directions issued by the Minister under article 17.

These Regulations provide for the payment of an annual allowance to members of municipal districts and area committees, with effect from 1 July 2017, in accordance with directions issued by the Minister under article 17.

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