



STATUTORY INSTRUMENTS.

S.I. No. 312 of 2021

LOCAL GOVERNMENT (REMUNERATION OF LOCAL AUTHORITY
MEMBERS) REGULATIONS 2021

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I, PETER BURKE, Minister of State at the Department of Housing, Local Government and Heritage, 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) and the Housing, Local Government and Heritage (Delegation of Ministerial Functions) Order 2020 (S.I. No. 559 of 2020) and with the consent of the Minister for Public Expenditure and Reform (pursuant to the Ministers and Secretaries Acts 1924 to 2020) hereby make the following regulations:

1 These Regulations may be cited as the Local Government (Remuneration of Local Authority Members) Regulations 2021.

2 These Regulations shall come into operation on 1 July 2021.

3 (1) In these Regulations, except where the context otherwise requires –
“direction” shall be construed in accordance with section 142 of the Act of 2001;

“local authority” has the meaning given in the Act of 2001;

“member” means an elected member of a local authority and includes a Cathaoirleach and a Leas-Chathaoirleach; and

“Minister” means the Minister to whom functions under section 142 of the Act of 2001 are currently delegated.

“the Act of 2001” means the Local Government Act 2001 (No. 37 of 2001);

(2) For the purpose of these Regulations all members whose names are recorded as having been present at a meeting in the minutes of the proceedings drawn up under Schedule 10, Part 14 of the Act of 2001 shall be deemed to have attended that meeting.

4 (1) A member shall be entitled to such payments as may be determined by his or her local authority in accordance with Regulation 5.

(2) (a) A member may by notice in writing given to his or her local authority decline to accept payments under these Regulations and where so notified the local authority shall not make such payments.

(b) Where notice in writing (the first notice) has been given to a local authority under paragraph (a), the member concerned may by a further notice in writing (the second notice) given to the local authority withdraw the first notice from the date of receipt of the second notice by the local authority or such subsequent date as may be specified in the second notice and the local

authority may then make payments in respect of the period commencing on and from such date.

5 (1) A local authority shall, subject to and in accordance with these Regulations, make payments to a member at the applicable annual remuneration amount which applies in respect of the payment period or of different parts of that period.

- (2) Payments shall be made by a local authority at monthly intervals.
- (3) (a) Subject to paragraph (b), the payment period shall commence on the day the person concerned becomes a member of the local authority.
 - (b) In the case of a person who is a member of a local authority on 1 July 2021 the payment shall be due from that date.
 - (c) The payment period shall terminate on the day the person concerned ceases to be a member of the local authority for any reason.
- (4) (a) Where a member is absent from attendance at any meeting of his or her local authority for a continuous period of 6 consecutive months from the date of his or her last attendance at a meeting of the local authority then payments under these Regulations shall continue to be made by the local authority to that member for that period.
 - (b) Where a member is absent from attendance at any meeting of the local authority for a continuous period of more than 6 consecutive months but continues to be a member of the local authority under section 18(4) of the Act of 2001 then payments under these Regulations shall continue to be made by the local authority to that member at half the applicable annual rate for the next succeeding 6 months following the initial 6 consecutive months of absence under paragraph (a).
 - (c) No further payments shall be made under these Regulations where a member is absent from attendance at any meeting of the local authority for a continuous period of more than 12 months for so long as such uninterrupted absence continues.

6 (1) The annual amount of remuneration of members shall be €25,788.

(2) Whenever the pay of Local Authority Grade 4 Operatives is adjusted in accordance with Government pay policy, then the amount payable to members under paragraph (1) shall be altered on and from that day by a proportionate amount.

7 (1) A local authority shall exchange such information with any other local authority or the Houses of the Oireachtas as may be required in relation to the determination and making of payments.

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(2) A local authority may by notice in writing request any member to supply, within such period as it may specify, such information as it may require for or in relation to the determination and making of payments under these Regulations and the member shall supply such information.

(3) A local authority shall suspend payments in the event of failure by a member to supply information pursuant to a notice issued under paragraph (2).

8 (1) A local authority shall establish and maintain on its website a public register of all payments made to its members under these Regulations.

(2) Without prejudice of the generality of paragraph (1), the register shall include in respect of each member:

- (a) A record of attendance for each member at meetings of the local authority and of its municipal districts, committees and joint committees of which that member is also a member of.
- (b) The amount of payments to each member under these Regulations.
- (c) The date from which a member ceased to be a member of the local authority.
- (d) Any other information as may be specified by the Minister in directions issued under these Regulations.

9 (1) The Minister may from time to time give directions to local authorities in relation to any matter referred to in these Regulations or any other matter which appears to him to be necessary or expedient for the purposes of section 142 of the Act.

(2) Without prejudice to the generality of paragraph (1) a direction may be given to provide for a reduction in payments under Regulation 5 in circumstances specified in such direction, whether by reference to non-attendance at meetings of the local authority and of its municipal districts, committees and joint committees of which the person concerned is a member, or otherwise.

10 The Local Government (Representational Payment for Members) Regulations 2001 to 2014 (S.I. No 552 of 2001 and S.I. 235 of 2014) are revoked.

GIVEN under my hand,
28 June 2021

PETER BURKE,
Minister of State at the Department of Housing, Local Government
and Heritage.

The Minister for Public Expenditure and Reform hereby consent to the Local
Government (Remuneration of Local Authority Members) Regulations 2021



GIVEN under the Official Seal of the Minister for Public
Expenditure and Reform,
29 June, 2021.

MICHAEL MCGRATH,
Minister for 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 provide for the payment of an annual amount in respect of remuneration to elected members of local authorities and the keeping of public registers in relation to payments of same in accordance with section 142 of the Local Government Act 2001.

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