

(Reprint No. 2)

SOUTH AUSTRALIA

**LOCAL GOVERNMENT (MEMBERS ALLOWANCES AND EXPENSES)
REGULATIONS 1995**

*These regulations are reprinted pursuant to the Subordinate Legislation Act 1978 and incorporate all amendments in force as at **14 December 1998**.*

SUMMARY OF PROVISIONS

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REGULATIONS UNDER THE LOCAL GOVERNMENT ACT 1934

LOCAL GOVERNMENT (MEMBERS ALLOWANCES AND EXPENSES) REGULATIONS 1995

being

No. 40 of 1995: *Gaz.* 27 April 1995, p. 1656¹

as varied by

No. 52 of 1997: *Gaz.* 1 May 1997, p. 1705²

No. 210 of 1998: *Gaz.* 3 December 1998, p. 1803³

¹ Came into operation 6 May 1995: reg. 2.

² Came into operation 3 May 1997: reg. 2.

³ **Came into operation 14 December 1998: reg. 2.**

NOTE:

- *Asterisks indicate repeal or deletion of text.*
- *Entries appearing in bold type indicate the amendments incorporated since the last reprint.*
- *For the legislative history of the regulations see Appendix.*

2 **Local Government (Members Allowances and Expenses) Regulations 1995**

Citation

1. These regulations may be cited as the *Local Government (Members Allowances and Expenses) Regulations 1995*.

Commencement

2. These regulations will come into operation on 6 May 1995.

Revocation

3. The *Local Government (Members Allowances for Expenses) Regulations 1984* (see *Gazette* 2 August 1984 p. 454), as varied, are revoked.

Interpretation

4. In these regulations—

"**the Act**" means the *Local Government Act 1934*.

Limits on annual allowances

5. (1) Subject to subregulation (2), for the purposes of section 49(2) of the Act, the rates of the annual allowances that may be fixed by a council in respect of its members must be not less than \$550 nor more than \$2 600 per annum.

(2) The limits prescribed by subregulation (1) do not apply to—

- (a) a mayor, a deputy mayor or a member who is an acting mayor of a council; or
- (b) a chairperson, a deputy chairperson or a member who is an acting chairperson of a council.

Kinds of expenses to be reimbursed

6. For the purposes of section 49(1)(b) of the Act, the kinds of expenses for which a member of a council will be reimbursed are as follows:

- (a) travelling expenses actually and necessarily incurred by the member in attending a meeting of the council or a council committee or in attending any function or activity that the member has been authorised by the council to attend on the business of the council;
- (b) expenses actually and necessarily incurred by the member for a midday or evening meal when a meeting of the council or a council committee has been adjourned before and resumed after the normal meal hour;
- (c) expenses for the care of a child or other dependant of the member requiring full-time care actually and necessarily incurred by the member as a consequence of the member's attendance at a meeting of the council or a council committee or the member's attendance at any function or activity that the member has been authorised by the council to attend on the business of the council.

Reimbursement of certain expenses need not be registered

7. Pursuant to section 49a(5) of the Act, expenses that fall within the ambit of regulation 5(1) of the *City of Adelaide (Members Allowances and Benefits) Regulations 1998* incurred by a member of The Corporation of the City of Adelaide are expenses of a prescribed kind.

APPENDIX

LEGISLATIVE HISTORY

(entries in bold type indicate amendments incorporated since the last reprint)

Regulation 5(1):

varied by 52, 1997, reg. 3

Regulation 7:

inserted by 210, 1998, reg. 3