

CHAPTER 327
TRAVELLING AND SUBSISTENCE ALLOWANCES ACT

• Act • Subsidiary Legislation •

ACT

ARRANGEMENT OF SECTIONS

1. Short title.
2. Interpretation.
3. Transport allowance.
4. Means of transport to be kept by public officer.
5. Subsistence allowance.
6. Transfer expenses.
7. Special allowance.
8. Allowance not to count for pension.

CHAPTER 327
TRAVELLING AND SUBSISTENCE ALLOWANCES ACT

An Act to authorise the grant of subsistence allowance to public officers when travelling on duty and to make provision for the payment of their transport.

[1st January, 1946.]

1. Short title

This Act may be cited as the Travelling and Subsistence Allowances Act.

2. Interpretation

In this Act—

“salary” includes pensionable emoluments;

“station” means place, district or parish in which a public officer is for the time being resident in the performance of the duties of his or her office;

“travelling” includes a public officer’s stay at a place other than his or her station, but only when such stay has been unavoidable or otherwise necessary in the interest of the public service; and if any question shall arise as to whether such stay was unavoidable or necessary, the decision of the Minister thereon shall be final.

3. Transport allowance

(1) Public officers travelling on duty may be furnished with reasonable transport at the public expense.

(2) The Minister may make regulations prescribing the nature and conditions of the transport to be allowed under this section:

Provided that such regulations shall be of no force or effect until approved by the House of Representatives.

(3) Subject to the provisions of this Act and to regulations made thereunder, if any question arises as to the reasonableness of the transport claimed by a public officer under this section, the Minister shall decide upon such claim and his or her decision shall be final.

4. Means of transport to be kept by public officer

(1) The Minister, whenever he or she considers it necessary, may require sufficient means of transport to be kept by a public officer for the performance of his or her duties, and shall prescribe the allowance to which such officer shall be entitled for the upkeep of such means of transport:

Provided that whenever such means of transport shall not be available for travelling in and for the performance of such duties, such allowance shall cease to be payable.

(2) Every public officer entitled to such allowance shall, before payment thereof, furnish a certificate that he or she has kept the requisite means of transport for use in the performance of his or her duties.

5. Subsistence allowance

Public officers whilst properly travelling and absent from their stations on the public service shall, subject to the provisions of this Act and regulations made thereunder, when the Minister is satisfied that they have used due diligence and dispatch in the performance of such service, be entitled to receive for such travelling and absence a subsistence allowance in accordance with regulations to be made by the Minister:

Provided that half only of such allowance shall be payable to an officer for the period spent travelling on duty on any ship or plane when the officer's passage, inclusive of his or her board, shall have been provided from public funds:

Provided further that any such regulations shall be of no force or effect until approved by the House of Representatives.

6. Transfer expenses

When a public officer is transferred, whether permanently or temporarily, from one station to another; and the circumstances are such that no allowance is payable to such officer, it shall be lawful for the Minister to authorise the repayment to such officer of any reasonable out of pocket expenses which he or she may necessarily have incurred in connection with such transfer.

7. Special allowance

When a public officer is employed in travelling on any service in which it is necessary for him or her to incur more than ordinary expenses it shall be lawful for the Minister, in his or her discretion, and if he or she considers it reasonable in the circumstances, to authorise the payment to such officer of such expenses.

8. Allowance not to count for pension

No allowance made under this Act, or any Act amending the same, shall count for pension under the Pensions Act, Chapter 233, in the case of any present or future public officer.

CHAPTER 327
TRAVELLING AND SUBSISTENCE ALLOWANCES ACT

SUBSIDIARY LEGISLATION

List of Subsidiary Legislation

1. Travelling and Subsistence Allowances Regulations
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Travelling And Subsistence Allowances Regulations

SRO 30 of 1960

Amended by

SRO 15 of 1989

SRO 14 of 2010

ARRANGEMENT OF REGULATIONS

1. Citation.
 2. Construction.
 3. Variation of allowances.
 4. Discretion.
 5. Officer acting in a higher office.
 6. Hours of departure and arrival.
 7. Form of voucher.
 8. Certificate of Head of Department.
 9. Prompt rendering of accounts.
 10. Government vehicles.
 11. Hire of transport.
 12. Assistance by Government.
 13. Re-employment of Pensioners.
 14. Standing charges or basic allowances.
 15. Additional travelling.
- Subsistence Allowance*
16. Rates of subsistence allowances and limitation of allowances.
 17. *Repealed.*
 18. Method of calculating periods of absence.
 19. Removal expenses.
 20. Application.
- First Schedule Certificate of Head of Department

Second Schedule Out of State Travelling Allowance
Third Schedule Within the State Travelling Allowances

TRAVELLING AND SUBSISTENCE ALLOWANCES REGULATIONS

[Sections 3 and 5. SRO 30 of 1960 amended by SRO 15 of 1989, SRO 14 of 2010.]

[24th August, 1960.]

1. Citation

These Regulations may be cited as the Travelling and Subsistence Allowances Regulations.

2. Construction

In construing these Regulations, Heads of Departments, Financial Officers and Officers submitting claims for travelling expenses and subsistence allowances shall be guided by the following principles—

- (a) that no officer shall be out of pocket as the result of having to travel on duty; and
- (b) that no officer shall derive any pecuniary benefit in connection with travelling on duty.

3. Variation of allowances

Any allowance under these Regulations may be discontinued or varied at any time without any compensation to the Officer to whom it may be payable.

4. Discretion

Any contingency not provided for in these Regulations shall be dealt with by the Cabinet.

5. Officer acting in a higher office

Any officer appointed to act in a higher office and carrying out the duties of such higher office shall, for the purposes of these Regulations, be deemed to be the holder of the higher office and to be in receipt of the initial salary thereof.

6. Hours of departure and arrival

The hour of departure and arrival, as the case may be, shall be determined by the hour of departure from or arrival at the officer's station.

7. Form of voucher

All claims for subsistence allowance and travelling expenses shall be made out in the form from time to time approved by the Permanent Secretary (Finance) and shall be supported by receipts where possible. The certificate to be given on the form shall be regarded, in every particular, as an honour certificate that the whole expenditure has been

necessarily incurred in the interest of the public service, and that the various items of travelling or transportation expenses have been actually disbursed.

8. Certificate of Head of Department

The certificate of the Head of the Department on the payment voucher shall imply that he or she has personally satisfied himself or herself that the claim is reasonable and the claimant was travelling on duty during the time specified. The certificate shall be in the form prescribed in the First Schedule to these Regulations.

9. Prompt rendering of accounts

(1) All claims for subsistence allowances and travelling expenses must be rendered and paid as promptly as possible. Any case of unnecessary delay in submitting a claim will render the claim liable to be rejected.

(2) Claims for travelling allowance must be prepared and submitted in time for payment on the day assigned for payment of salaries.

(3) If a claim is delayed for a period exceeding thirty days for a valid reason, a certified explanation for the delay must be endorsed on the voucher by the Head of Department.

10. Government vehicles

Government vehicles shall only be used in the performance of public duties save and except on such occasions as the Permanent Secretary (Finance) may from time to time authorise. The unauthorised use of a Government Vehicle for private purposes is strictly forbidden.

11. Hire of transport

Where an officer is permitted to hire means of transport instead of owning the same, he or she shall draw such allowance for a period not exceeding fourteen days, under such conditions as the Permanent Secretary (Finance) may approve. Any extension of the period aforesaid may only be granted by the Permanent Secretary (Finance) with the approval of the Cabinet.

12. Assistance by Government

An officer who has received assistance from Government towards the purchase of a motor vehicle shall be expected to use such vehicle, when travelling in the course of duty.

13. Re-employment of Pensioners

A Pensioner who is temporarily re-employed whether in the office he or she held prior to his or her retirement or in another office shall for the purposes of these Regulations be deemed to be in receipt of a salary not less than to the salary he or she drew immediately prior to his or her retirement.

14. Standing charges or basic allowances

(1) If an officer who has been required to keep a motor vehicle for the performance of his or her duties is temporarily assigned duties in a station where the use of such motor vehicle is not possible or necessary, he or she may, with the approval of the Permanent