1970. No. 16 **[C]**

LOCAL GOVERNMENT

Travelling and Subsistence Allowances to Members

REGULATIONS, DATED 4TH FEBRUARY 1970, MADE BY THE MINISTRY OF DEVELOPMENT UNDER THE PUBLIC HEALTH AND LOCAL GOVERNMENT (ADMINISTRATIVE PROVISIONS) ACT (NORTHERN IRELAND) 1946.

The Ministry of Development (hereinafter referred to as "the Ministry"), in exercise of the powers conferred upon it by sections 27, 27B, 27C and 28 of the Public Health and Local Government (Administrative Provisions) Act (Northern Ireland) 1946(a) hereby makes the following regulations:—

Citation

1. These regulations may be cited as the Local Government (Allowances to Members) Regulations (Northern Ireland) 1970 and shall come into operation on 6th February 1970.

Interpretation

2. In these regulations—

"the Act of 1946" means the Public Health and Local Government (Administrative Provisions) Act (Northern Ireland) 1946;

"body" means any body to which section 27 of the Act of 1946 applies;

"member" means any member to whom section 27 of the Act of 1946 applies;

"travelling allowance" and "subsistence allowance" mean payments by way of travelling allowance and subsistence allowance respectively within the meaning of section 27 of the Act of 1946;

"public service" means any service provided for travel by the public by railway, ship, omnibus, trolley vehicle or tramway.

Travelling and Subsistence Expenses

3. Bodies may make to their members payments by way of (*a*) travelling allowances in accordance with the rules in Schedule 1 and (*b*) subsistence allowances in accordance with the rules in Schedule 2. The rates determined by bodies for travelling and subsistence allowances shall not exceed those prescribed.

Conditions of Payment

4.—(1) Every member of a body who desires to claim any payment by way of travelling or subsistence allowance shall complete and submit to that body an application in the appropriate form set out in Schedule 3 or a form substantially to the like effect.

(2) Every member making such claim shall submit his application form within four months from the date on which the expenses claimed were incurred:

Provided that the Ministry may, where there are exceptional circumstances, allow an extension of the period within which the claim may be submitted.

(a) 1946. c. 19.

Issues of Tickets and Vouchers

5. Every body shall, so far as is in its opinion practicable, make arrangements for the issue to its members of tickets, or of vouchers, warrants or similar documents for exchange by such members for tickets, to cover journeys in respect of which payments by way of travelling allowance would otherwise fall to be made.

Records of Payments

6.—(1) Every body shall keep records of all payments to members made by it under the Act of 1946 indicating the amounts paid to each member and the heads under which they were paid.

(2) For the purposes of this regulation expenditure incurred in the issue to a member of any ticket or other document under regulation 5 shall be deemed to have been paid to that member.

Prevention of Duplicate Payments

7. Where a member is entitled to receive payments in connection with approved duties as a member of more than one body in respect of periods falling within any one period of 24 hours, he shall be entitled to receive and there shall be payable to him such payments for travelling and subsistence as will not exceed in the aggregate the payments to which he would have been entitled had all the said duties been performed by him as a member of one only of these bodies.

Set-off

8. Where under these regulations and any other enactment a member would become entitled, apart from this regulation, to receive duplicate payments in respect of travelling and subsistence expenses in relation to the performance of approved duties in any one period of 24 hours, the amount which he shall be entitled to receive under these regulations shall be reduced by any amount received by him under the other enactment and any claim under these regulations shall contain particulars of any amount so received.

Revocation

9. The regulations specified in Schedule 4 are hereby revoked.

Sealed with the Official Seal of the Ministry of Development for Northern Ireland this 4th day of February 1970.

(L.S.) *J. A. D. Higgins,*
Assistant Secretary.

SCHEDULE 1

Rules with respect to the payment of Travelling Allowances

1. The rate for travel by public service shall not exceed the amount of the ordinary first class fare or any available cheap first class fare:

Provided that the sum paid shall not exceed the actual amount disbursed by the member.

2. The rate specified in the preceding paragraph may be increased by supplementary allowances not exceeding expenditure actually incurred—

(*a*) on Pullman Car or similar supplements, reservation of seats and deposit or porterage of luggage, and

(*b*) on sleeping accommodation engaged by the member for an overnight journey, subject, however, to reduction by one-third of any subsistence allowance payable to him for that night.

3. The rate for travel by taxi-cab shall not exceed—

(*a*) in cases of urgency or where no public service is reasonably available, the amount of the actual fare and any reasonable gratuity paid, and

(*b*) in any other case, the amount of the fare which the member would have been entitled to claim had he travelled by appropriate public service.

4. The rate for travel by a hired motor vehicle other than a taxi-cab shall not exceed the rate which would have been applicable had the vehicle belonged to the member who hired it:

Provided that where the body so approves the rate may be increased to an amount not exceeding the actual cost of the hiring.

5. Fares for travel by air shall be payable if either:—

(*a*) the rate for travel by air does not exceed the rate applicable to travel by appropriate alternative means of transport together with an allowance equivalent to the amount of any saving in subsistence expenses consequent on travel by air; or

(*b*) the body resolves, either generally or specially, that the saving in time is so substantial as to justify payment of the fare for travel by air, in which case there may be paid an amount not exceeding—

(i) the ordinary, or any available cheap fare for travel by regular air service; or

(ii) where no such service is available, or in case of urgency, the fare actually paid by the member.

6.—(1) If a member uses his private motor vehicle in circumstances where the conditions specified in sub-paragraph 6(2) are not satisfied, the mileage allowance payable shall be a rate not exceeding 4d. a mile or the rate appropriate to the vehicle in question under that sub-paragraph, whichever is the less.

(2) If a member uses his private motor vehicle in circumstances which result in a substantial saving of his time and are otherwise reasonable or where it is in the interests of the body that the member should use his private motor vehicle in preference to a public service or where a public service is not available, the mileage rates payable shall not exceed—

(i) for motor cars or tri-cars exceeding 1199 c.c. cylinder capacity: 14·25d. a mile;

(ii) for motor cars or tri-cars exceeding 999 c.c. but not exceeding 1199 c.c. cylinder capacity: 12·75d. a mile;

(iii) for motor cars or tri-cars exceeding 500 c.c. but not exceeding 999 c.c. cylinder capacity: 11·25d. a mile;