

1978 No. 57

LOCAL GOVERNMENT

Councillors (Travelling and Subsistence Allowances) Regulations
(Northern Ireland) 1978

Made 1st March 1978

Coming into operation 14th April 1978

The Department of the Environment for Northern Ireland in exercise of the powers conferred by section 36 of the Local Government Act (Northern Ireland) 1972(a) and now vested in it(b) and of every other power enabling it in that behalf and with the approval of the Department of the Civil Service for Northern Ireland(c) hereby makes the following regulations:

Citation and commencement

1. These regulations, which may be cited as the Councillors (Travelling and Subsistence Allowances) Regulations (Northern Ireland) 1978, shall come into operation on 14th April 1978 and shall have effect from 31st January 1978.

Revocation

2. The Councillors (Travelling and Subsistence Allowances) Regulations (Northern Ireland) 1976(d) are hereby revoked.

Increase in the rates of certain travelling allowances

3. In Schedule 1 to the Local Government (Travelling and Subsistence Allowances to Councillors) (No. 2) Regulations (Northern Ireland) 1973(e) for sub-paragraphs (1) and (2) of paragraph 6(f) there shall be substituted the following:

"(1) If a councillor uses his private motor vehicle in circumstances where the conditions specified in sub-paragraph (2) are not satisfied, the mileage allowance payable shall be at a rate not exceeding 4.7p a mile or the rate appropriate to the vehicle in question under that sub-paragraph, whichever is the less.

(2) If a councillor 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 council, or as the case may be the joint committee, that the councillor 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—

(a) for motor cars or tri-cars exceeding 1199 c.c. cylinder capacity: 13.7 a mile;

(a) 1972 c. 9 (N.I.)

(b) Formerly the Ministry of Development: see S.R. & O. (N.I.) 1973 No. 504 Art. 7(1) (II, p. 2992); 1973 c. 36 Sch. 5 para. 8(1); and S.I. 1976/424 (N.I. 6)

(c) Formerly Ministry of Finance: see 1973 c. 36 Sch. 5 para. 8(1) and S.R. 1976 No. 281 Art. 3 and Sch. 1 (II, p. 1339)

(d) S.R. 1976 No. 293 (II, p. 1375)

(e) S.R. & O. (N.I.) 1973 No. 366 (II, p. 2068)

(f) As substituted by S.R. 1976 No. 293 Reg. 2 (II, p. 1375)

- (b) for motor cars or tri-cars exceeding 999 c.c. but not exceeding 1199 c.c. cylinder capacity: 12.4p a mile;
- (c) for motor cars or tri-cars exceeding 500 c.c. but not exceeding 999 c.c. cylinder capacity: 11.3p a mile;
- (d) for solo motor cycles exceeding 500 c.c. cylinder capacity, motor cycles with side cars and motor cars or tri-cars not exceeding 500 c.c. cylinder capacity: 5.5p a mile;
- (e) for solo motor cycles—
 - (i) exceeding 150 c.c. but not exceeding 500 c.c. cylinder capacity: 4.1p a mile;
 - (ii) exceeding 120 c.c. but not exceeding 150 c.c. cylinder capacity: 3.3p a mile;
 - (iii) not exceeding 120 c.c. cylinder capacity: 2.6p a mile.”

Increase in the rates of subsistence allowances

4. In Schedule 2 to the Local Government (Travelling and Subsistence Allowances to Councillors) (No. 2) Regulations (Northern Ireland) 1973 for sub-paragraphs (1)(a) and (1)(b) of paragraph 1(g) there shall be substituted the following:

- “(1) The rate of subsistence allowance shall not exceed—
- (a) in the case of an absence, not involving an absence overnight, from the usual place of residence—
 - (i) of more than 4 but not more than 8 hours: £2.87;
 - (ii) of more than 8 but not more than 12 hours: £5.05;
 - (iii) of more than 12 but not more than 16 hours: £7.14;
 - (iv) of more than 16 hours: £8.53;
 - (b) in the case of an absence overnight from the usual place of residence—
 - (i) in the British Islands: £18.72, provided that for such an absence overnight in London, or exceptionally in any other place in the British Islands approved by the Department, the rate may be increased by a supplementary allowance not exceeding £1.80;
 - (ii) elsewhere, such rate as the Department may from time to time approve.”

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 1st March 1978.

(L.S.)

J. A. D. Higgins
Senior Assistant Secretary

The Department of the Civil Service for Northern Ireland hereby approves the foregoing regulations.

Sealed with the Official Seal of the Department of the Civil Service for Northern Ireland on 1st March 1978.

(L.S.)

J. Armstrong
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the regulations but is intended to indicate their general purport.)

These regulations increase the maximum rates of certain travelling and subsistence allowances payable to councillors and committee members of district councils.

The increases are effective from 31st January 1978 in order to maintain parity of treatment with similar allowances in England and Wales. Retrospective effect is authorised by section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962.