

2. The Compulsory Acquisition of Land (Interest on Compensation Money) Order (Northern Ireland), 1955(a), shall, as from the said 15th day of September, 1955, be revoked.

3. This Order may be cited as the Compulsory Acquisition of Land (Interest on Compensation Money) (No. 2) Order (Northern Ireland), 1955.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 15th day of September, 1955, in the presence of

(L.S.)

D. C. B. Holden,
Assistant Secretary.

LOCAL GOVERNMENT

TRAVELLING AND SUBSISTENCE

Allowances to Members

REGULATIONS, DATED 8TH DECEMBER, 1955, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER THE PUBLIC HEALTH AND LOCAL GOVERNMENT (ADMINISTRATIVE PROVISIONS) ACT (NORTHERN IRELAND), 1946, AS AMENDED BY THE PUBLIC HEALTH AND LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT (NORTHERN IRELAND), 1955.

1955. No. 183

[C]

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

1.—(1) These Regulations may be cited as the Local Government (Allowances to Members) Regulations (Northern Ireland), 1955, and shall have effect from the eighth day of December, 1955.

2. In these regulations—

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

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

"travelling allowance" and "subsistence allowance" means 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, vessel, omnibus, trolley vehicle or tramway.

3. The rates payable by bodies by way of travelling and subsistence allowances shall be the rates prescribed, and shall be subject to the provisions contained in the First and Second Schedules respectively.

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 the Third Schedule or a form substantially to the like effect.

(2) Every member making such claim shall submit his application form within three 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.

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.

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.

7.—(1) Where a person necessarily incurs expenditure on travelling or subsistence in respect of the performance by him in any one period of twenty-four hours of approved duties as a member of more than one body, he shall be entitled to receive and there shall be payable by the bodies concerned, in respect of the performance of those duties, such payment by way of travelling allowance and subsistence allowance as will, under either of those heads, be equal in the aggregate to the payment to which he would have been entitled under that head had all the said duties been performed by him as a member of one only of those bodies.

(2) Where in any one period of twenty-four hours a person becomes entitled in respect of the performance of any duties to receive payments by way of, or in the nature of, travelling allowance or subsistence allowance both under the Act of 1946 and under any other enactment, the amount which he shall be entitled to receive under either of these enactments in respect of either of the heads aforementioned shall be reduced by any amount received by him in respect of that head under the other of those enactments, and any claim for such payment as aforesaid shall contain particulars of any amount so received.

8. The Local Government (County Councils) (Travelling Expenses) Regulations (Northern Ireland), 1946(a) and the Local Government (County Councils) (Travelling Expenses) (Amendment) Regulations (Northern Ireland), 1952(b) are hereby revoked.

Sealed with the official Seal of the Ministry of Health and Local Government, this eighth day of December One thousand nine hundred and fifty-five, in the presence of

(L.S.)

Dehra Parker,
Minister of Health and Local Government.

FIRST SCHEDULE

Rates of Travelling Allowance and Provisions Relating Thereto

1. The rate for travel by public service shall not exceed the amount of the ordinary fare or any available cheap fare, and where more than one class of fare is available the rate shall be payable by reference to first class fares:

Provided, however, 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 portorage of luggage, and
- (b) on sleeping car accommodation engaged by the member for an overnight journey by rail, 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.

(a) S.R. & O. (N.I.), 1946, No. 209.

(b) S.R. & O. (N.I.), 1952, No. 160.

5. The rate for travel by air shall 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 allowance consequent on travel by air:

Provided that where 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, there may be paid an amount not exceeding the ordinary fare or any available cheap fare for travel by regular air service.

6.—(1) If a member uses his private motor vehicle in circumstances which involve a substantial saving in 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, the following mileage allowances shall be payable:—

- (i) Motor cars exceeding 10 horse-power: 9½d. a mile for the first 2,000 miles for which in any mileage period the member uses a private motor car, 7½d. a mile for the next 5,000 miles in the same mileage period, and thereafter in the same mileage period 6½d. a mile;
- (ii) Motor cars not exceeding 10 horse-power and tri-cars of cylinder capacity exceeding 500 c.c.: 7½d. a mile for the first 2,000 miles for which in any mileage period the member uses a private motor car, 6d. a mile for the next 5,000 miles in the same mileage period, and thereafter in the same mileage period 4½d. a mile;
- (iii) Motor cars and tri-cars of cylinder capacity of 500 c.c. or less, motor-cycle combinations, and motor-cycles of cylinder capacity exceeding 500 c.c.: 4d. a mile;
- (iv) Motor-cycles of cylinder capacity exceeding 150 c.c. but not exceeding 500 c.c.: 3d. a mile;
- (v) Motor-cycles of cylinder capacity exceeding 120 c.c. but not exceeding 150 c.c.: 2½d. a mile;
- (vi) Motor-cycles of cylinder capacity of 120 c.c. or less, auto-cycles and motor-assisted bicycles: 2d. a mile.

If a member uses a private motor vehicle in circumstances where travel by a public service would be appropriate, a mileage allowance of 2d. a mile shall be payable, irrespective of the type of vehicle.

(2) In the preceding sub-paragraph "mileage period" means the period from the date of the coming into operation of these regulations to the 31st day of March, 1956, or any year thereafter commencing on the 1st day of April.

(3) The rates specified in sub-paragraph (1) may be increased—

- (a) in respect of the carriage of each passenger, not exceeding four, to whom a travelling allowance would otherwise be payable under any enactment—
 - (i) where the rate payable does not exceed 2d. a mile, by not more than 1d. a mile, or
 - (ii) where any other rate is payable, by not more than ½d. a mile.

Provided that:

- (a) for the purpose of calculating mileage under sub-paragraphs (1) (i) and (1) (ii) no account shall be taken of mileage for which the rate, excluding any allowance for passengers, is 2d. a mile; and
- (b) no passenger allowance shall be payable for motor-cycles, auto-cycles, or motor-assisted bicycles;
- (b) by not more than the amount of any expenditure incurred on tolls, ferries, or parking fees;
- (c) in the case of absence overnight from the usual place of residence, by not more than 2s. 6d. a night for garaging a car or tri-car, or 1s. 6d. a night for garaging a motor vehicle of any other type.

(4) For the purpose of this paragraph cylinder capacity and horse-power shall be calculated in the manner prescribed by regulation 33 of the Road Vehicles (Registration and Licensing) Regulations (Northern Ireland), 1947(a).

SECOND SCHEDULE

Rates of Subsistence Allowance and Provisions Relating Thereto

1.—(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 five but not more than ten hours, 6s.;
- (ii) of more than ten hours, 10s.

(b) in the case of an absence overnight from the usual place of residence.

- (i) in Ireland, 35s. 6d.;
- (ii) in Great Britain, 42s.

(2) Any rate payable under the preceding sub-paragraph shall be deemed to cover a continuous period of absence of twenty-four hours.

Provided that for such an absence in London, or in any other place in Great Britain approved by the Ministry, whether for the purpose of attendance at an Annual Conference of an Association or otherwise, the rate may be increased by a supplementary allowance not exceeding 13s.

THIRD SCHEDULE

Form of Application for Travelling and Subsistence Allowances

1	2	3	4	5	6	7	8	9	10
Date	Place and time of departure	Place and time of return	Description of approved duties	Mode and class of travel	Fares and other authorised payments	Number of miles travelled by member's private motor vehicle and rate per mile claimed	Toll, ferry and parking fees and garage allowance	Traveling Allowance claimed	Subsistence allowance claimed
<p>If rate entered in column 7 is more than 2d. a mile, state—</p> <p style="text-align: right;">Totals</p> <p>(a) type of vehicle, cylinder capacity and horse-power—</p> <p>(b) grounds on which rate of more than 2d. a mile is claimed—</p> <p>Particulars of amounts received by way of travelling or subsistence allowance from any other authority or body—</p> <p style="text-align: right;">Amounts Now Claimed</p>									

I declare that—

(a) I have necessarily incurred expenditure on travelling and subsistence for the purpose of enabling me to perform approved duties as a member of

(b) I have actually paid the fares and made the other payments shown in column 6 and paid the fees shown in column 8 above;

I declare that the statements above are correct. Except as shown above I have not made, and will not make, any claim under any enactment for travelling or subsistence expenses or allowances in connection with the duties indicated above.

Date

Signature of Member