STATUTORY INSTRUMENTS

1972 No. 1401

JUSTICES OF THE PEACE

The Justices' Allowances (Amendment) Regulations 1972

Made - - -	12*th September* 1972
Laid before Parliament	22*nd September* 1972
Coming into Operation	16*th October* 1972

In exercise of the powers conferred upon me by section 8 (6) and (7) of the Justices of the Peace Act 1949(**a**) as extended by section 31 of the Administration of Justice Act 1964(**b**) and section 4 of the Justices of the Peace Act 1968(**c**), I hereby make the following Regulations:—

1. These Regulations may be cited as the Justices' Allowances (Amendment) Regulations 1972 and shall come into operation on 16th October 1972.

2.—(1) For Schedules 1 and 2 to the Justices' Allowances Regulations 1971(**d**), as amended (**e**), there shall be substituted the Schedules set out in the Schedule to these Regulations.

(2) In Schedule 3 to the said Regulations of 1971 for the figure "1·67p" there shall be substituted the figure "2·5p".

Robert Carr,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
12th September 1972.

Regulation 2 — SCHEDULE

Regulation 4 — SCHEDULE 1

RATES OF TRAVELLING ALLOWANCE

1.—(1) The rate for travel by public service shall be the amount of the fare of the class in which the justice chooses to travel but, subject to any supplementary allowances payable under sub-paragraph (2) of this paragraph, shall not exceed the lowest available first class fare.

(**a**) 1949 c. 101.
(**b**) 1964 c. 42.
(**c**) 1968 c. 69.
(**d**) S.I. 1971/413 (1971 I, p. 1217).
(**e**) The amending Regulations are not relevant to the subject matter of these Regulations.

(2) The rate payable under the foregoing sub-paragraph shall, if the justice so claims, be increased by supplementary allowances not exceeding the expenditure incurred on deposit or porterage of luggage, on reservation of seats, or on Pullman Car or similar supplements (other than expenditure on refreshment or sleeping accommodation).

2. The rate for travel by hired motor vehicle shall be—

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

(*b*) in any other case, the amount of the fare for travel by the appropriate public service.

3.—(1) The rate for travel by a justice's own motor cycle of cylinder capacity not exceeding 500 cubic centimetres shall be—

(*a*) for the use of a motor cycle of cylinder capacity not exceeding 120 cubic centimetres, of an autocycle or of a motor-assisted pedal cycle, 1·3p a mile;

(*b*) for the use of a motor cycle of cylinder capacity exceeding 120 cubic centimetres but not exceeding 150 cubic centimetres, 1·7p a mile;

(*c*) for the use of a motor cycle of cylinder capacity exceeding 150 cubic centimetres but not exceeding 500 cubic centimetres, 1·9p a mile.

(2) The rate for travel by a justice's own private motor vehicle, or one belonging to a member of his family or otherwise provided for his use, other than a motor cycle of cyclinder capacity not exceeding 500 cubic centimetres shall be 2·5p a mile unless such travel—

(*a*) results in a substantial saving of the justice's time; or

(*b*) is otherwise reasonable, in which case the rate shall be—

(i) for the use of a motor cycle of cylinder capacity exceeding 500 cubic centimetres, a motor cycle combination, or a motor car of cylinder capacity not exceeding 500 cubic centimetres, 2·8p a mile;

(ii) for the use of a motor car of cylinder capacity—

(*a*) exceeding 500 c.c. but not exceeding 999 c.c., 5·5p a mile;

(*b*) exceeding 999 c.c. but not exceeding 1199 c.c., 6·2p a mile;

(*c*) exceeding 1199 c.c., 6·9p a mile.

(3) The appropriate rate specified in the foregoing provisions of this paragraph shall, if the justice so claims, be increased—

(*a*) where the rate exceeds 2·5p a mile, by ·21p a mile for the carriage, otherwise than by motor cycle, of each additional person to whom an allowance for travelling would otherwise be payable under any enactment;

(*b*) where the rate is 2·5p a mile, by ·5p a mile for the carriage, otherwise than by motor cycle, of each additional person as aforesaid, so, however, that the rate when so increased shall not exceed 3·5p a mile;

(*c*) in the case of an absence overnight from the usual place of residence, by the amount of any expenditure incurred on garaging a motor vehicle, not exceeding 12·5p a night in the case of a motor car or 7·5p a night in the case of a vehicle of any other type;

(*d*) in any case, by the amount of any expenditure incurred on tolls, ferries or parking fees.

(4) For the purposes of this paragraph—

"motor car" includes a tri-car;

"motor cycle combination" means a motor cycle with a side car;

"motor cycle" means a motor cycle without a side car.

4. The rate for travel by air shall not exceed the fare paid but, subject thereto, shall be the rate applicable to travel by the appropriate public service together with an allowance equivalent to the amount of any saving in subsistence allowance consequent upon travel by air.

5. In this Schedule "public service" means any service provided for travel by the public by railway, ship, vessel, omnibus, trolley vehicle or tramway.

Regulation 4

SCHEDULE 2

Rates of Subsistence Allowance

1.—(1) The rate of subsistence allowance shall be—

(*a*) in the case of an absence, not involving an absence overnight, from the usual place of residence—

(i) of more than four but not more than eight hours, £1·25;

(ii) of more than eight but not more than twelve hours, £2·20;

(iii) of more than twelve but not more than sixteen hours, £3·12;

(iv) of more than sixteen hours, £3·75;

(*b*) in the case of an absence overnight from the usual place of residence, £8·00: Provided that for such an absence overnight in Greater London the rate may be increased by a supplementary allowance not exceeding £0·75.

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

2.—(1) The rates specified in the preceding paragraph shall be reduced by an appropriate amount in respect of any meal provided free of charge by any local authority during the period to which the allowance relates.

(2) In the preceding sub-paragraph "local authority" means the corporation of the City of London, the Greater London Council or the council of an administrative county, a borough, a metropolitan borough, an urban district, a rural district or a rural parish.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations amend the Justices' Allowances Regulations 1971 by increasing the rates of travelling and subsistence allowance payable to justices of the peace.

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