STATUTORY INSTRUMENTS

1972 No. 1425 (S.109)

JUSTICES OF THE PEACE

The Justices Allowances (Scotland) Amendment Regulations 1972

Made - - -	*20th September* 1972
Laid before Parliament	*28th September* 1972
Coming into Operation	*16th October* 1972

In exercise of the powers conferred on me by section 8(6) and (7) of the Justices of the Peace Act 1949(**a**), as amended by section 31 of the Administration of Justice Act 1964(**b**), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

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

(2) The Interpretation Act 1889(**c**) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

2. For paragraph 3 of Schedule 1 to the Justices Allowances (Scotland) Regulations 1971(**d**) there shall be substituted the following paragraph:—

"3. The rate for travel by a justice's own solo motor cycle, motor scooter, moped or any other vehicle of a similar type, not exceeding a cylinder capacity of 500 c.c., shall not exceed—

(*a*) for the use of a vehicle of cylinder capacity of 120 c.c. or less, 1·3p a mile;

(*b*) for the use of a vehicle of cylinder capacity from 121 c.c. to 150 c.c., 1·7p a mile;

(*c*) for the use of a vehicle of cylinder capacity from 151 c.c. to 500 c.c., 1·9p a mile.

The rate for travel by a justice's own vehicle shall not exceed 2·5p a mile unless the vehicle used is of a category other than the above and, in the opinion of the authority, it is reasonable that the justice should so travel.

(**a**) 1949 c. 101.
(**b**) 1964 c. 42.
(**c**) 1889 c. 63.
(**d**) S.I. 1971/490 (1971 I, p. 1440).

For travel in these circumstances the rate shall not exceed—

(*d*) for the use of a solo motor cycle of cylinder capacity exceeding 500 c.c., a motor cycle with side-car, or a motor car or tri-car of cylinder capacity of 500 c.c. or less, 2·8p a mile;

(*e*) for the use of a motor car or tri-car of cylinder capacity of—

(i) 501 c.c. to 999 c.c., 5·5p a mile,

(ii) 1000 c.c. to 1199 c.c., 6·2p a mile,

(iii) over 1199 c.c., 6·9p a mile;

Provided that the above rates may be increased by—

(i) not more than 0·21p a mile for the carriage of each additional person to whom an allowance for travelling would otherwise be payable, on journeys qualifying for the rates of allowances set out in sub-paragraphs (*a*) to (*e*) above;

(ii) not more than 0·5p a mile, subject to a limit of 2p a mile for four or more passengers, for the carriage of each additional person to whom an allowance for travelling would otherwise be payable, on journeys not qualifying for the rates of allowances set out in sub-paragraphs (*a*) to (*e*) above;

(iii) not more than the amount of any expenditure incurred on tolls, ferries or parking fees;

(iv) in the case of absence overnight from the usual place of residence, not more than 12·5p a night for garaging a car or tri-car, or 7·5p a night for garaging a motor vehicle of any other type."

3. For paragraph 1(1) of Schedule 2 of the Justices Allowances (Scotland) Regulations 1971 there shall be substituted the following paragraph:—

"1.—(1) The rates of subsistence allowance shall be—

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

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

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

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

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

(*b*) for an absence overnight from the usual place of residence, £8·00."

Gordon Campbell,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.
20th September 1972.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Justices Allowances (Scotland) Regulations 1971. They provide for an increase in the rates of travelling and subsistence allowances payable to justices of the peace.

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