(5) TRAVELLING ALLOWANCES

Local Government (Travelling Allowances etc.) (Scotland) Regulations, 1948

1948 No. 1789 (S. 158)

Made - - - -	*29th July*, 1948
Laid before Parliament	*30th July*, 1948
Coming into Operation	*16th August*, 1948

In exercise of the powers conferred on me by sections 113, 117 and 118 of the Local Government Act, 1948(a), I hereby make the following Regulations:—

1. These regulations may be cited as the Local Government (Travelling Allowances etc.) (Scotland) Regulations, 1948, and shall come into operation on the sixteenth day of August, 1948.

2.—(1) In these regulations, unless the context otherwise requires—

" the Act " means the Local Government Act, 1948;

" body " means any body to which Part VI of the Act applies for the time being; and

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

(2) The Interpretation Act, 1889, applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. The rates to be determined by bodies for the payment of travelling allowances and subsistence allowances shall not exceed the maximum rates mentioned, and shall be subject to the provisions contained, in the First and Second Schedules hereto respectively.

4. Every member of a body who desires to claim any payment by way of financial loss allowance, travelling allowance or subsistence allowance shall complete and submit to that body an application in the appropriate form set out in the Third Schedue hereto or in a form substantially to the like effect.

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 Part VI of the Act, indicating the amounts paid to each member and the heads under which they were paid, and such records shall be open to inspection at all reasonable hours by any local government elector for the area of the body.

(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 suffers or incurs any loss or expense to which section 112 of the Act applies, or necessarily incurs expenditure on

(a) 11 & 12 Geo. 6. c. 26.

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 payments by way of financial loss allowance, travelling allowance and subsistence allowance as will, under any 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, financial loss allowance, travelling allowance or subsistence allowance both under Part VI of the Act and under any other enactment, the amount which he shall be entitled to receive under either of those enactments in respect of any 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 any such payment as aforesaid shall contain particulars of any amount so received.

Dated this twenty-ninth day of July, nineteen hundred and forty-eight.

Arthur Woodburn,
One of His Majesty's Principal Secretaries of State.

St. Andrews House,
Edinburgh, 1.

FIRST SCHEDULE

Maximum rates of payments by way of travelling allowance, and provisions relating thereto

1. The rate for travel by public service shall not exceed the amount of the ordinary, or any available cheap, fare, and where more than one class of fare is available the rate shall be determined, in the case of travel by ship, by reference to first class fares, and in any other case by reference to third class fares, unless the body determine, either generally or specially, that first class fares shall be substituted:

Provided that the said rate 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 over-night journey, subject, however, to reduction by one-third of any subsistence allowance payable to him for that night.

2. The rate for travel by taxi-cab or cab—.

(*a*) in cases of urgency or where no public service is reasonably available, shall not exceed the amount of the actual fare and any reasonable gratuity paid, and

(*b*) in any other case, shall not exceed the amount of the fare for travel by an appropriate public service.

3. The rate for travel by a member's own private motor vehicle where in the opinion of the body it is reasonable that he should so travel rather than by public service shall not exceed—

(*a*) in the case of a motor car, 6d. a mile for the first 2,880 miles in any year and thereafter 3d. a mile;

(*b*) in the case of a tri-car, 3d. a mile;

(*c*) in the case of a motor cycle (with or without a side-car), 2¼d. a mile; and

(*d*) in the case of a motor-assisted pedal-cycle or any vehicle of a similar type, 1½d. a mile.

For such travel in circumstances other than those mentioned above the rate shall not exceed 1½d. a mile, irrespective of the type of vehicle:

Provided that the above rates may be increased by—

(i) not more than ½d. a mile for the carriage of each additional person to whom an allowance for travelling would otherwise be payable, and

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

(iii) in the case of an absence overnight, from the usual place of residence, not more than 2s. 6d. a night for garaging a car, or 1s. 6d. a night for garaging a motor vehicle of any other type.

4. The rate for travel by a hired motor vehicle other than a taxi-cab or 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. 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 financial loss allowance and 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

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

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

SECOND SCHEDULE

Maximum rates of payments by way of subsistence allowance, and provisions relating thereto

1. For an absence, not involving an absence over-night, from the usual place of residence—

(*a*) of more than four hours but not more than eight hours, the rate shall not exceed 5s.;

(*b*) of more than eight hours but not more than twelve hours, the rate shall not exceed 10s.; and

(*c*) of more than twelve hours, the rate shall not exceed 15s.

2. The rate for an absence over-night from the usual place of residence shall not exceed the sum of 32s. 6d.; provided that for such an absence in London the rate may be increased by a supplementary allowance not exceeding 9s. 6d.

The rate determined under this paragraph shall be deemed to cover a continuous period of absence of twenty-four hours.

3. An amount payable by any body by way of subsistence allowance shall be reduced by an appropriate sum in respect of any meal provided for the claimant by that body, free of charge, during the period to which the allowance relates.

THIRD SCHEDULE

Form of Application for Travelling and Subsistence Allowances

Date	Place and time of departure	Place and time of return	Description of approved duties	Mode and class of travel	No. of miles travelled by private motor vehicle, other than taxi-cab or cab, and rate applicable	Fares and other authorised payments	Travelling allowance claimed	Subsistence allowance claimed
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
					Totals ...			
Particulars of amounts received or claimed by way of travelling or subsistence allowance from other authorities or bodies.								
					Amounts now claimed			

I declare that I have actually and necessarily incurred expenditure on travelling and subsistence for the purpose of enabling me to perform approved duties as a member of....., that I have actually paid the fares and made the other payments, shown above, and that the amounts claimed are strictly in accordance with the rates determined by.....

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.....

FORM OF APPLICATION FOR FINANCIAL LOSS ALLOWANCE

Date (1)	Place and time of departure (2)	Place and time of return (3)	Description of approved duties (4)	Amount claimed (5)

Particulars of amounts received or claimed by way of financial loss allowance from other authorities or bodies.

Amount now claimed ...

I declare that I have actually and necessarily—

(*a*) suffered loss of earnings which I should otherwise have made, or

(*b*) incurred additional expense, other than expense on account of travelling or subsistence,

for the purpose of enabling me to perform approved duties as a member of .....and that the amount of such loss and expense is not less than the sum claimed.

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 financial loss allowance in connection with the duties indicated above.

Date..... Signature of Member.....

5. OFFICERS

The Local Government (Qualifications of County Treasurer and Town Chamberlain) (Scotland) Regulations, 1948

1948 No. 2547 (S. 195)

Made - - - - 23*rd November,* 1948
Coming into Operation 15*th December,* 1948

In exercise of the powers conferred upon me by subsection two of section seventy-seven and by sub-section two of section eighty-five of the Local