7. TRAVELLING ALLOWANCES

The National Health Service (Travelling Allowances, etc.) Regulations, 1949

1949 No. 2340

Made - - - -	16*th December*, 1949
Laid before Parliament	16*th December*, 1949
Coming into Operation	16*th December*, 1949

M.H.109998.

The Minister of Health, in exercise of the powers conferred on him by sections 40, 41 and 54 of, and paragraph 2 of the First Schedule, paragraph 2 of Part IV of the Third Schedule, paragraph 3 of the Fifth Schedule, paragraph 3 of the Sixth Schedule and paragraph 6 of the Seventh Schedule to, the National Health Service Act, 1946(**a**), as amended by the National Health Service (Amendment) Act, 1949(**b**), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

1. These regulations may be cited as the National Health Service (Travelling Allowances, etc.) Regulations, 1949, and shall come into operation on the sixteenth day of December, 1949.

2.—(1) In these regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them:—

"the Minister" means the Minister of Health,

"the Act" means the National Health Service Act, 1946.

(2) Any reference in these regulations and in the Schedule hereto to a committee of a body shall be deemed where the body is itself a committee to be a reference to a sub-committee thereof.

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

3. The National Health Service (Travelling Allowances, etc.) Regulations, 1947(**d**), are hereby revoked.

4. The following bodies constituted under the Act, namely the Regional Hospital Boards, the Hospital Management Committees and the Boards of Governors of teaching hospitals may make to their members or the members of any of their committees payments in respect of

(i) any loss of earnings they would otherwise have made and any additional expenses (other than expenses on account of travelling or subsistence) to which they would not otherwise have been subject, being loss or expenses necessarily suffered or incurred by them for the purpose of enabling them to perform any approved duty; or

(ii) any travelling or subsistence expenses necessarily incurred by them for the purpose of enabling them to perform any approved duty required to be performed at a distance of more than three miles from their usual place of residence:

(a) 9 & 10 Geo. 6. c. 81. (b) 12, 13 & 14 Geo. 6. c. 93. (c) 52 & 53 Vict. c. 63.
(d) S.R. & O. 1947 (No. 1330) I, p. 1460.

Provided that any payment under paragraph (i) above shall be in accordance with Part I of the Schedule hereto, any payment in respect of travelling expenses shall be in accordance with Part II of the said Schedule, and any payment in respect of subsistence expenses shall be in accordance with Part III of the said Schedule.

5. Executive Councils may make to their members or to the members of any of their committees or to the members of the Ophthalmic Services Committee for their area payments in respect of any loss of earnings they would otherwise have made and any additional expenses (including travelling and subsistence expenses) to which they would not otherwise have been subject, being loss or expenses necessarily suffered or incurred by them for the purpose of enabling them to perform any approved duty:

Provided that—

(i) a member of an Executive Council for the area of a local health authority who are the council of a county borough or a member of a committee appointed by such an Executive Council or a member of the Ophthalmic Services Committee for the area of such an Executive Council shall not be entitled to any payments under this regulation in respect of travelling or subsistence expenses in respect of a duty performed within the area of the Executive Council except where the Minister authorises such payments in the case of an individual; and

(ii) a member of an Executive Council for the area of a local health authority who are the council of a county or for the area of two or more local health authorities or a member of a committee appointed by such an Executive Council or a member of the Ophthalmic Services Committee for the area of such an Executive Council shall not be entitled to any payments under this regulation in respect of travelling or subsistence expenses in respect of a duty performed within the area of the Executive Council except in respect of duties performed at a distance of more than three miles from his usual place of residence:

Provided further that any payment in respect of loss of earnings or additional expenses, not being travelling or subsistence expenses, shall be in accordance with Part I of the Schedule hereto, any payment in respect of travelling expenses shall be in accordance with Part II of the said Schedule, and any payment in respect of subsistence expenses shall be in accordance with Part III of the said Schedule.

6. The Minister may pay to the members of the Tribunal constituted under section 42 of the Act and to the members of the Medical Practices Committee and the Dental Estimates Board such remuneration as he may, with the consent of the Treasury, determine and may further make to such members payments in respect of travelling expenses in accordance with the provisions of Part II of the Schedule hereto and in respect of subsistence expenses in accordance with Part III of the said Schedule, being expenses necessarily incurred by the member for the purpose of performing his duty as a member of the body concerned.

7. The Minister may make to members of the Central Health Services Council or any committee thereof or of any Standing Advisory Committee or any sub-committee thereof payments in respect of loss of earnings they would otherwise have made and any additional expenses (including travelling and subsistence expenses) to which they would not otherwise have been subject, being loss or expenses necessarily suffered or incurred by them for the purpose of enabling them to perform duties as members of the Central Council or a committee thereof or a Standing Advisory Committee or a sub-committee thereof:

Provided that any payment in respect of loss of earnings or additional expenses, not being travelling or subsistence expenses, shall be in accordance with Part I of the Schedule hereto, any payment in respect of travelling expenses shall be in accordance with Part II of the said Schedule and any payment in respect of subsistence expenses shall be in accordance with Part III of the said Schedule.

8. The making of any payment under these regulations shall be conditional on:—

(*a*) Certification by the member

(i) That so far as travelling and subsistence allowances are concerned the expenses were actually and necessarily incurred for the purpose of performing his duty as member, and

(ii) That any claim for payment in respect of loss of earnings or expenses (other than travelling or subsistence expenses) is in respect of actual loss suffered or expenses incurred for such purpose, and on

(*b*) The observance of such conditions as the authority responsible for making the payment may, at their discretion or on the Minister's directions, impose.

9. Where under these regulations a member is entitled to receive payments in respect of loss of earnings or additional expenses (including travelling and subsistence expenses) in relation to the performance by him in a period of 24 hours of duties entitling him to allowances under these regulations, as a member of more than one authority, he shall be entitled to receive and there shall be payable by the authorities concerned in respect of the performance of those duties such payments as will not exceed in the aggregate the payments to which he would have been entitled had all the said duties been performed by him as a member of one only of those authorities.

SCHEDULE

PART I

Maximum rates of Payments in respect of loss of earnings or any additional expenses (other than on account of travelling or subsistence)

The payment shall not exceed such amount as is required to indemnify a member against a loss of earnings which he has necessarily suffered or any additional expenses (except travelling or subsistence expenses) to which he would not otherwise have been subject, and in any case shall not in respect of any one period of twenty-four hours exceed:

(I) Where the period of time over which earnings are lost or additional expenses are incurred is not more than four hours, the sum of ten shillings; or

(II) Where the said period of time is more than four hours, the sum of twenty shillings.

PART II

Maximum rates of Payments in respect of travelling expenses

1. First class fares shall be payable but members shall take the fullest possible advantage of any available cheap fares.

2. The sum paid may include the amount of any expenditure incurred—

(*a*) on Pullman Car or similar supplements, reservations of seats and deposit or porterage of luggage; and

(*b*) on sleeping accommodation engaged by the member for an overnight journey, 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 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.

4. The rate for travel by a member's own private motor vehicle in circumstances which involve a substantial saving in his time or are otherwise reasonable, or where it is in the interests of the body that he should so travel rather than by public services, shall not exceed—

(*a*) in the case of a motor car, 7½d. a mile for the first 3,120 miles for which, in any financial year, the car is used for any journeys in respect of which the member has been or is entitled to be paid travelling expenses under these regulations or the National Health Service (Travelling Allowances, etc.) Regulations, 1947, and thereafter 3½d. a mile;

(*b*) in the case of a tri-car, 3½d. a mile;

(*c*) in the case of a motor cycle (with or without a side-car) 2½d. a mile; and

(*d*) in the case of a motor-assisted pedal cycle or any vehicle of a similar type, 1¾d. 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 ¼d. 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 the amount of any expenditure incurred on garaging a motor vehicle not exceeding 2s. 6d. a night for a car, or 1s. 6d. a night for a motor vehicle of any other type.

5. 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 authority responsible for making the payment so approves, the rate may be increased to an amount not exceeding the actual cost of the hiring.

6. 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 payments which would have been made in respect of loss of earnings and additional expenses including subsistence expenses consequent on travel by air:

Provided that, where, with the approval of the Minister, the authority responsible for making the payment decides 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.

7. Except as provided in paragraph 4 hereof any payment made under this Part of the Schedule shall not exceed the amount disbursed by the member in respect of the journey for which the payment is made.

8. In this Part of this Schedule, a public service means any service provided for travel by the public by railway, ship, vessel, omnibus, trolley vehicle or tramway.

PART III

Maximum rates of Payments in respect of subsistence expenses

1. An allowance not exceeding 30s. shall be payable in respect of each night when a member is necessarily absent from his home or place of business on the business of the body or committee. The allowance shall be reduced to 25s. 6d. a night after the first seven nights at one place, and any case in which a member is likely to spend, or does spend, more than 28 nights in one place shall be reported to the Minister who shall fix a special rate in accordance with the circumstances.

2. A night allowance shall be deemed to cover a single period of absence of 24 hours.

3. A day allowance in respect of duties not involving a night's absence shall be payable at the rate of 3s. 6d. when a member is necessarily absent from his home or place of business for more than five hours but not more than eight hours and at the rate of 8s. 4d. when his absence exceeds eight hours.

Given under the official seal of the Minister of Health this sixteenth day of December, nineteen hundred and forty-nine.

(L.S.)

Wm. S. Douglas,
Secretary,
Ministry of Health.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations revoke the National Health Service (Travelling Allowances, etc.) Regulations, 1947. The regulations make provision for the payment to members of Regional Hospital Boards, Board of Governors of teaching hospitals, Hospital Management Committees, Executive Councils, Central Health Services Council and Standing Advisory Committees and any committees of these bodies of allowances in respect of loss of earnings and additional expenses including travelling and subsistence expenses. The regulations further make provision for the payment of remuneration and travelling and subsistence expenses to members of the Tribunal, the Medical Practices Committee and the Dental Estimates Board.