1952 No. 1907 (S. 102)

The National Health Service (Travelling Allowances, etc.) (Scotland) Amendment Regulations, 1952

Made - - - -	29*th October*, 1952
Laid before Parliament	30*th October*, 1952
Coming into Operation	1*st November*, 1952

In exercise of the powers conferred on me by the following provisions of the National Health Service (Scotland) Act, 1947(**a**), as amended by Part II of the Schedule to the National Health Service (Amendment) Act, 1949(**b**), namely—

(*a*) subsection (2) of section 39,

(*b*) paragraph 2 of the First Schedule,

(*c*) paragraph 3 of the Second Schedule,

(*d*) paragraph 2 of Part IV of the Fourth Schedule,

(*e*) paragraph 4 of the Sixth Schedule,

(*f*) paragraph 3 of the Seventh Schedule, and

(*g*) paragraph 6 of the Eighth Schedule,

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 National Health Service (Travelling Allowances, etc.) (Scotland) Amendment Regulations, 1952, and shall come into operation on the first day of November, 1952.

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

2. The Second Schedule to the National Health Service (Travelling Allowances, etc.) (Scotland) Regulations, 1952(**d**), shall be amended as follows:—

(1) In Part I, for paragraph 3, there shall be substituted the following paragraph:—

"3.—(1) The rate for travel by a member's own private motor vehicle shall, subject as hereinafter mentioned, be 2d. a mile.

(2) The rate for travel by a member's own private motor vehicle where, in the opinion of the Secretary of State, where payment is made by him, or of the body, it is reasonable that the member should so travel rather than by public service, shall not exceed—

(*a*) in the case of a motor car or tri-car exceeding 500 cubic centimetres cylinder capacity and not exceeding 10 horse power, 7¾d. a mile for the first 2,000 miles for which in any financial year the member uses a private motor car or tri-car for any journeys in respect of which he has been, or is entitled to be paid travelling expenses under these regulations, 6d. a mile for the next 5,000 miles in the same year, and thereafter in the same year 4¾d. a mile;

(*b*) in the case of a motor car or tri-car exceeding 500 cubic centimetres cylinder capacity and exceeding 10 horse power, 9¼d. a mile for the first 2,000 miles for which in any financial year the member uses a

(**a**) 10 & 11 Geo. 6. c. 27. (**b**) 12, 13 & 14 Geo. 6. c. 93.
(**c**) 52 & 53 Vict. c. 63. (**d**) S.I. 1952/1297, p. 2110 above.

private motor car or tri-car for any journeys in respect of which he has been, or is entitled to be paid travelling expenses under these regulations, 7¾d. a mile for the next 5,000 miles in the same year, and thereafter in the same year 6¼d. a mile ;

(*c*) in the case of a motor car or tri-car not exceeding 500 cubic centimetres cylinder capacity, a motor cycle combination, or a motor cycle exceeding 500 cubic centimetres cylinder capacity, 4d. a mile ;

(*d*) in the case of a motor cycle exceeding 150, but not exceeding 500, cubic centimetres cylinder capacity, 3d. a mile ;

(*e*) in the case of a motor cycle exceeding 120, but not exceeding 150, cubic centimetres cylinder capacity, 2½d. a mile ;

(*f*) in the case of a motor cycle not exceeding 120 cubic centimetres cylinder capacity, an auto cycle or a motor-assisted pedal cycle, 2d. a mile.

(3) The rates mentioned in sub-paragraphs (1) and (2) hereof may be increased—

(*a*) by not more than ½d. a mile for the carriage otherwise than by motor cycle, auto cycle or motor-assisted pedal cycle, of each additional passenger, to whom an allowance would otherwise be payable under these regulations.

Provided that where the mileage rate does not exceed 2d. an increase of 1d. a mile may be allowed for the carriage of each additional passenger, subject to a limit of 4d. a mile for four or more passengers ;

(*b*) by not more than the amount of any expenditure incurred on tolls, ferries or parking fees ; and

(*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 2s. 6d. per night for a motor car or tri-car or 1s. 6d. per night for a motor vehicle of any other type.

(4) (*a*) For the purpose of calculating mileage under sub-paragraphs (*a*) and (*b*) of sub-paragraph (2) hereof no account shall be taken of mileage for which the rate, excluding any allowance for passengers, does not exceed 2d. a mile.

(*b*) For the purpose of this paragraph—

'horse-power' and 'cylinder capacity' shall be calculated in the manner prescribed by regulation 34 of the Road Vehicles (Registration and Licensing) Regulations, 1951(a) : Provided that where the engine of a motor car has been rebored, the calculation shall be based on the engine as it was when new.

'motor cycle' does not include 'motor cycle combination'."

(2) In part II—

(*a*) for paragraph 1 there shall be substituted the following paragraph :—

" 1. An allowance not exceeding 37s. 6d. 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. The allowance shall

(a) S.I. 1951/1381 ; 1951 II, p. 587.

be reduced to 30s. 0d. 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 Secretary of State who shall fix a special rate in accordance with the circumstances."

(*b*) for paragraph 3 there shall be substituted the following paragraph:—

"3. A day allowance in respect of duties not involving a night's absence shall be payable at the rate of 4s. 0d. 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 9s. 6d. when his absence exceeds eight hours:

Provided that where the member orders and pays for lunch or dinner on a train or boat, the above rates shall be respectively increased to 6s. 6d. and 12s.; or where lunch and dinner are both so ordered and paid for during an absence exceeding eight hours, the rate of 9s. 6d. shall be increased to 13s."

Dated this 29th day of October, 1952.

James Stuart,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

EXPLANATORY NOTE

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

These regulations alter the existing regulations by increasing the allowances to be made to the members of certain bodies constituted under the National Health Service (Scotland) Act, 1947, for the use of their motor vehicles on official business, and in respect of subsistence expenses.

NATIONAL INSURANCE

1952 No. 1559

The National Insurance (Children's Allowances and Orphans' Pensions) (Transitional) Regulations, 1952

Made - - - -	21*st August*, 1952
Laid before Parliament	22*nd August*, 1952
Coming into Operation	26*th August*, 1952

The Minister of National Insurance, in conjunction with the Treasury, in exercise of powers conferred by section 65 of the National Insurance Act,