1960 No. 119

The Nurses (Area Nurse-Training Committees) Order, 1960

Made - - - -	*27th January*, 1960
Laid before Parliament	*1st February*, 1960
Coming into Operation	*2nd February*, 1960

The Minister of Health, in exercise of the powers conferred on him by sections 11 and 32 of, and the Second Schedule to the Nurses Act, 1957(a), and of all other powers enabling him in that behalf, and after consultation with the General Nursing Council for England and Wales, hereby orders as follows:—

1. This order may be cited as the Nurses (Area Nurse-Training Committees) Order, 1960, and shall come into operation on the second day of February, 1960.

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

"Committee" means an area nurse-training committee;

"Council" means the General Nursing Council for England and Wales;

"enactment" includes an enactment in a regulation;

"hospital area" means an area for which a Regional Hospital Board is for the time being constituted under subsection (1) of section 11 of the National Health Service Act, 1946(b);

"the Minister" means the Minister of Health.

(2) Unless the context otherwise requires, references in this order to any enactment shall be construed as references to that enactment as amended or re-enacted by any subsequent enactment.

(3) The Interpretation Act, 1889(c), applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

Constitution and title of Committees

3. Subject to the provisions of this order, the Committee constituted under the Nurses (Area Nurse-Training Committees) Order, 1956(d), as amended(e), for each of the hospital areas numbered 1 to 15 in column 1 of the Schedule to the National Health Service (Determination of Regional Hospital Areas) Order, 1946(f), as amended(g), shall continue in existence.

4. The Committee for each of the said hospital areas, numbered 1 to 15 in column (1) of the First Schedule to this order, shall be known by the title set out in column (2) of the said Schedule opposite the number in column (1).

(a) 5 & 6 Eliz. 2. c. 15. (b) 9 & 10 Geo. 6. c. 81. (c) 52 & 53 Vict. c. 63.
(d) S.I. 1956/321 (1956 II, p. 1704). (e) S.I. 1959/192.
(f) S.R. & O. 1946/2158 (Rev. XV, p. 515: 1946 I, p. 1056).
(g) S.I. 1955/401, 1956/1484, 1958/2093 (1955 I, p. 1262; 1956 I, p. 1511; 1958 II, p. 1540).

Appointment and qualification of Members

5. Each Committee shall consist of the number of members set out in column (3) of the First Schedule to this order appointed as follows:—

(*a*) four persons appointed by the Regional Hospital Board for the hospital area;

(*b*) one person appointed by Boards of Governors of teaching hospitals situated respectively in each of the hospital areas numbered 1 to 4 and 9 to 14 in column (1) of the said First Schedule, two persons appointed by Boards of Governors situated respectively in each of the hospital areas numbered 6 to 8 in the said column (1) and three persons appointed by Boards of Governors situated in the hospital area numbered 5 in the said column (1), such appointments in each area being made jointly by the Boards of Governors respectively concerned, in such manner as they may agree;

(*c*) five persons appointed by the Council;

(*d*) one person appointed by the Central Midwives Board;

(*e*) two persons appointed by the Minister after consultation with the local health authorities in the hospital area;

(*f*) one person appointed by the Minister after consultation with the local education authorities in the hospital area; and

(*g*) one person appointed by the Minister after consultation with such universities as he thinks fit.

6.—(1) Of the members appointed to a Committee by a Regional Hospital Board, two shall be registered nurses and one shall be a registered medical practitioner.

(2) Of the members appointed by the Council, at least four shall be registered nurses.

(3) The member appointed by the Central Midwives Board shall be a registered nurse and certified midwife.

(4) Of the members appointed by the Minister, at least one shall be a registered nurse employed in health services provided under the provisions of Part III of the National Health Service Act, 1946.

Tenure of office of Members

7.—(1) The members of a Committee in office at the coming into operation of this order shall continue to hold office for the remainder of the period of office for which they were appointed.

(2) Subject as aforesaid, the term of office of members of a Committee shall be five years expiring on the 31st day of March in any year.

(3) The Chairman of a Committee may resign his membership on giving notice in writing to the Committee and to the authority or authorities which appointed him to the Committee. Any other member may resign on giving notice in writing to the Chairman.

(4) If a member has not attended a meeting of the Committee to which he belongs, or of a sub-committee thereof for a period of six months, then, unless the Committee are satisfied that his absence was due to illness or other reasonable cause, they shall forthwith declare his place on the Committee to be vacant, and he shall cease to be a member thereof.

(5) In the event of a casual vacancy arising by death, resignation or any other cause, the Secretary of the Committee shall forthwith give written notice of the occurrence to the authority or authorities which appointed that member.

(6) A casual vacancy occurring at any time shall be filled as soon as may be by the authority or authorities which appointed the member who has vacated office, and the person appointed to fill the vacancy shall hold office for the remainder of the period for which his predecessor was appointed.

(7) A member shall on the expiration of his term of office be eligible for re-appointment.

(8) Subject to paragraphs (ii), (iii) and (v) of the proviso to subsection (1) of section 59 of the Local Government Act, 1933(a), the provisions of paragraphs (*b*) and (*e*) of that subsection (which disqualify a person for being elected or being a member of a local authority if he has been adjudged bankrupt or made a composition or arrangement with his creditors or has been sentenced to imprisonment for not less than three months without the option of a fine) shall apply as if the section related to membership of a Committee.

(9) Any officer or servant of a Committee shall be disqualified from being a member thereof and any member becoming such an officer or servant shall forthwith cease to be a member.

Procedure of Committees

8. A Committee shall make standing orders respecting its procedure, including quorum, and may vary or revoke such standing orders.

Sub-Committees

9.—(1) A Committee may appoint such sub-committees as it may think fit, consisting either wholly of members of the Committee or partly of members of the Committee and partly of other persons, in such proportion as it may determine.

(2) The Chairman of a sub-committee shall be appointed by the Committee.

(3) A Committee may delegate all or any of its functions to a sub-committee subject to such restrictions or conditions as it may think fit; but the acts of every such sub-committee shall be submitted to the Committee for its approval.

(4) A Committee appointing a sub-committee may make standing orders respecting the quorum, proceedings and place of meeting of the sub-committee and may vary or revoke such standing orders.

Travelling Allowances, etc.

10.—(1) A Committee may make to its members or the members of its sub-committees payments in respect of any loss of earnings they would otherwise have made or of any additional expenses (including 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 duties as members of the Committee or sub-committee, as the case may be, provided that any such payments (otherwise than in respect of travelling expenses or subsistence)

(a) 23 & 24 Geo. 5. c. 51.

shall be in accordance with Part I of the Second Schedule to this order, any such payments in respect of travelling expenses shall be in accordance with Part II of the said Schedule, and any such payments in respect of subsistence shall be in accordance with Part III of the said Schedule.

(2) The making of any payment under this order shall be conditional on :—

(*a*) Certification by the member

(i) That so far as travelling and subsistence allowances are concerned 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 purposes, and

(*b*) The observance of such conditions as the Committee may, at its discretion, impose.

(3) Where under this order and under any other enactment a member would become entitled to receive duplicate payments in respect of loss of earnings or additional expenses (including travelling and subsistence expenses) in relation to the performance of duties in any one period of 24 hours, the amount which he shall be entitled to receive under this order shall be reduced by any amount received by him under the other enactment, and any claim under this order shall contain particulars of any amount so received or claimed.

Estimates of Expenditure

11.—(1) A Committee shall, not later than the 30th day of September in each year, submit to the Council an estimate of all expenditure during the following financial year.

(2) The estimate shall be submitted in such form as the Council, with the approval of the Minister, may from time to time determine.

(3) The Council may approve the estimate with or without modification and the expenditure of a Committee in any financial year shall not, without the prior sanction of the Council, exceed the amount of the estimate approved by the Council.

Accounts

12.—(1) The financial year shall end on the 31st day of March in each year, and a Committee shall make up its accounts of income and expenditure to that date.

(2) The accounts shall be made up in such form as the Council, with the approval of the Minister, may from time to time determine.

Audit

13.—(1) Not later than the 30th day of June in each year a Committee shall submit its accounts to an auditor appointed by the Minister.

(2) The auditor shall have a right of access at all reasonable times to the books, accounts and vouchers of the Committee. He may, by writing under his hand, require the production before him of all books, deeds, contracts, accounts, vouchers, receipts and other documents, and shall be entitled to require from the members and officers of the Committee such information or explanation as he may deem necessary for the purpose of the audit.

(3) A Committee shall submit its audited accounts to the Council not later than the 30th day of September in each year.

Revocation of Orders

14. The orders named in the Third Schedule to this order are hereby revoked:

Provided that—

(*a*) such revocation shall not affect any right, privilege, obligation or liability acquired, accrued or incurred, or anything duly done or suffered, under those orders;

(*b*) such revocation shall not affect any legal proceedings commenced before the revocation, or the commencement of any proceedings to enforce any such right, privilege, obligation or liability as aforesaid, but any such proceedings may be continued or commenced as if this order had not been made;

(*c*) such revocation shall not affect any appointment, delegation of powers, requirement, or standing orders, made under the orders so revoked and every such appointment, delegation of powers, requirement or standing orders shall so far as it could have been made under this order, have effect as if it had been so made.

FIRST SCHEDULE

(1) Number of hospital area	(2) Title of Committee	(3) Number of members
1	The Newcastle Area Nurse-Training Committee ...	15
2	The Leeds Area Nurse-Training Committee	15
3	The Sheffield Area Nurse-Training Committee ...	15
4	The East Anglian Area Nurse-Training Committee ...	15
5	The North West Metropolitan Area Nurse-Training Committee.	17
6	The North East Metropolitan Area Nurse-Training Committee.	16
7	The South East Metropolitan Area Nurse-Training Committee.	16
8	The South West Metropolitan Area Nurse-Training Committee.	16
9	The Oxford Area Nurse-Training Committee	15
10	The South Western Area Nurse-Training Committee...	15
11	The Welsh Area Nurse-Training Committee	15
12	The Birmingham Area Nurse-Training Committee ...	15
13	The Manchester Area Nurse-Training Committee ...	15
14	The Liverpool Area Nurse-Training Committee ...	15
15	The Wessex Area Nurse-Training Committee	14

SECOND 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:—

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

(2) where the said period of time is more than four hours, the sum of forty 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-half 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.—(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 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 or tri-car exceeding 500 cubic centimetres cylinder capacity and not exceeding 10 horse power, 7¼d. 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 official journeys, 6d. a mile for the next 5,000 miles in the same year, and thereafter in the same year 4¼d. 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 private motor car or tri-car for any official journeys, 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, of a motor cycle exceeding 500 cubic centimetres cylinder capacity, or of a motor cycle combination, 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, of an autocycle or of a motor-assisted pedal cycle, 2d. a mile.

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

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

Provided that where the mileage rate does not exceed 2d. an increase of 1d. 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 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 (*a*) and (*b*) of sub-paragraph (2) 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 " shall be calculated in the manner prescribed by regulation 34 of the Road Vehicles (Registration and Licensing) Regulations, 1955(**a**).

Provided that where the engine of a car has been rebored, the calculation shall be based on the engine as it was when new;

" official journeys " means journeys undertaken by a member of a Committee or sub-committee, being journeys in respect of which the member is paid his travelling expenses (whether in his capacity as member or in his capacity as officer) by the Committee, the Council, the Central Midwives Board, or any authority subject to the provisions of the National Health Service (Travelling Allowances, etc.) Regulations, 1956(**b**), as amended (**c**);

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

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 Committee approves, the rate may be increased to an amount not exceeding the actual cost of the hiring.

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

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

PART III

Maximum rates of Payments in respect of subsistence expenses

1.—(1) An allowance not exceeding 53s. 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 Committee or sub-committee, and such allowance shall be reduced after the first seven nights at one place to 43s. 6d. a night for the next twenty-one nights at that place.

(2) Any case in which a member is likely to spend, or does spend, more than twenty-eight 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 5s. 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 12s. when his absence exceeds eight hours:

Provided that where the member orders lunch or dinner on a train or boat the above rates shall respectively be 8s. 6d. and 15s. 6d., or where lunch and dinner are both so ordered during an absence exceeding eight hours, 17s. 6d.

(**a**) S.I. 1955/1664 (1955 II, p. 2353). (**b**) S.I. 1956/265 (1956 I, p. 1593).
(**c**) S.I. 1957/1080, 1958/182, 1959/2042 (1957 I, p. 1483; 1958 II, p. 1553; 1959 II, p. 1824).

THIRD SCHEDULE

Orders revoked

The Nurses (Area Nurse-Training Committees) Order, 1956(a).

The Nurses (Area Nurse-Training Committees) Amendment No. 2 Order, 1957(b).

The Nurses (Area Nurse-Training Committees) Amendment Order, 1958(c).

The Nurses (Area Nurse-Training Committees) Amendment Order, 1959(d) (made the third day of February, 1959).

The Nurses (Area Nurse-Training Committees) Amendment Order, 1959(e) (made the first day of December, 1959).

Given under the official seal of the Minister of Health this twenty-seventh day of January, nineteen hundred and sixty.

(L.S.)

Derek Walker-Smith,
Minister of Health.

EXPLANATORY NOTE

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

This order consolidates the orders mentioned in the Third Schedule, with minor drafting amendments. It also provides that on the occurrence of a casual vacancy in the membership of an Area Nurse-Training Committee, the Secretary of that Committee shall notify the authority which appointed the member (Article 7 (5)).

(a) S.I. 1956/321 (1956 II, p. 1704). (b) S.I. 1957/1081 (1957 II, p. 1745).
(c) S.I. 1958/183 (1958 II, p. 1697). (d) S.I. 1959/192. (e) S.I. 1959/2043.