STATUTORY INSTRUMENTS

1963 No. 1342 (S. 60)

NURSES AND MIDWIVES

The Nurses (Regional Nurse-Training Committees) (Scotland) Order 1963

Made - - - -	30*th July* 1963
Laid before Parliament	7*th August* 1963
Coming into Operation	12*th August* 1963

In exercise of the powers conferred on me by section 19(1) and Schedule 4 of the Nurses (Scotland) Act 1951(a) and of all other powers enabling me in that behalf, and after consultation with the General Nursing Council for Scotland, I hereby make the following order:—

1. This order may be cited as the Nurses (Regional Nurse-Training Committees) (Scotland) Order 1963, and shall come into operation on 12th August 1963.

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

"Committee" means a Regional Nurse-Training Committee;

"the Council" means the General Nursing Council for Scotland;

"hospital area" means an area for which a Regional Hospital Board is for the time being constituted under section 11(1) of the National Health Service (Scotland) Act 1947(b).

(2) The Interpretation Act 1889(c) applies for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Constitution and title of Committees

3. The Committee constituted on 1st November 1951, under the Nurses (Regional Nurse-Training Committees) (Scotland) Order 1951(d), for each of the areas set out in the schedule to the National Health Service (Scotland) (Determination of Areas of Regional Hospital Boards) Order 1947(e) shall continue to subsist subject to the provisions of this order.

4. The Committee for each of the said areas, numbered 1 to 5 in column (1) of Schedule 1 to this order, shall be known by the title set out in column (2) of the said schedule opposite the number in column (1).

Appointment and Qualification of Members

5. Each Committee shall consist of thirteen members appointed as follows:—

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

(*b*) four persons appointed by the Council;

(*c*) one person appointed by the Central Midwives Board for Scotland;

(a) 14 & 15 Geo. 6. c. 55. (b) 10 & 11 Geo. 6. c. 27.
(c) 52 & 53 Vict. c. 63. (d) S.I. 1951/1331 (1951 II, p. 131).
(e) S.R. & O. 1947/1311 (Rev. XV, p. 830 : 1947 I, p. 1359).

(*d*) two persons appointed by the Secretary of State after consultation with the local health authorities in the hospital area;

(*e*) one person appointed by the Secretary of State after consultation with the education authorities in the hospital area; and

(*f*) one person appointed by the Secretary of State 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 duly qualified medical practitioner.

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

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

(4) Of the members appointed by the Secretary of State at least one shall be a registered nurse employed in health services provided under Part III of the National Health Service (Scotland) Act 1947.

Tenure of office of Members

7.—(1) "Chairman" in relation to a Committee, means the chairman selected by the Committee from among their members in accordance with paragraph 6 of Schedule 4 to the Nurses (Scotland) Act 1951.

(2) The term of office of members in office, or of persons filling vacancies caused by the vacation of office of members in office, at the coming into operation of this order shall expire on 31st March 1965 or 1967 as appropriate.

(3) The term of office of members of a Committee appointed after the coming into operation of this order shall be five years expiring on 31st March in any year.

(4) 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, and any other member may resign on giving notice in writing to the Chairman who will immediately give written notice to the authority or authorities which appointed that member.

(5) 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.

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

(7) Subject to paragraphs (i) and (ii) of the proviso to subsection (1) of section 52 of the Local Government (Scotland) Act 1947(a) the provisions of paragraphs (*b*) and (*c*) of that subsection (which disqualify for nomination, election and holding office as member of a local authority, a person whose estate has been sequestrated by a competent court in Scotland or who has been adjudged bankrupt elsewhere than in Scotland or is disqualified under any enactment relating to corrupt or illegal practices) shall apply as if the section related to membership of a Committee.

(8) 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.

(a) 10 & 11 Geo. 6. c. 43.

Procedure of Committees

8. A Committee shall make standing orders respecting its procedure, including the quorum (which shall not be less than five members) 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.

(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 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 Committee or sub-committee, as the case may be, provided that any such payments (otherwise than in respect of travelling expenses or subsistence) shall be in accordance with Part I of Schedule 2 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 expenses 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 purposes;

and on—

(*b*) the observance of such conditions as the Committee may, in 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.

(4) Where under this order or under the General Nursing Council for Scotland (Allowances to Members of the Council, Enrolled Nurses Committee and Mental Nurses Committee) Direction 1956 or under the Central

Midwives Board for Scotland (Allowances) Direction 1956 or under the National Health Service (Travelling Allowances, etc.) (Scotland) Regulations 1963(a) a person is entitled to receive payments in connection with duties as a member of more than one body (or where a member would have been entitled to receive such payments had the conditions as to time contained in Part III of Schedule 2 hereto been fulfilled) in respect of periods falling within any one period of 24 hours he shall be entitled to receive and there shall be payable such payments in respect of travelling expenses, subsistence expenses, loss of earnings or additional expenses as will, under any of these heads, be equal in the aggregate to the payment to which he would have been entitled under these heads had all the said duties been performed by him as a member of one only of these bodies.

Estimates of Expenditure

11.—(1) A committee shall, not later than 30th September in each year or such later date as the Secretary of State may approve, 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 Secretary of State, 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 31st 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 Secretary of State, may from time to time determine.

Audit

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

(2) The auditor shall have a right of access at all reasonable times to the books, accounts and vouchers of a 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 31st August in each year.

Revocations

14. The orders named in Schedule 3 to this order are hereby revoked but any appointment, approval, arrangement, authority, certificate, determination, direction, notice, requirement or scheme made or given, or any proceeding commenced or other thing done under such revoked orders shall, so far as they could have been made, given, commenced or done under

(a) S.I. 1963/1341 (1963 II, p. 2318).

corresponding provisions in this order, have effect as if they had been so made, given, commenced or done under this order.

Michael Noble,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
30th July 1963.

SCHEDULE 1

Regulation 4

(1) Number of area	(2) Title of Committee
1	The Northern Regional Nurse-Training Committee.
2	The North-Eastern Regional Nurse-Training Committee.
3	The Eastern Regional Nurse-Training Committee.
4	The South-Eastern Regional Nurse-Training Committee.
5	The Western Regional Nurse-Training Committee.

SCHEDULE 2

Regulation 10

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 any 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-five shillings; or

(2) where the said period of time is more than four hours, the sum of fifty shillings.

PART II

Maximum rates of Payments in respect of travelling expenses

1. The rate for travel by public service shall not exceed the amount of the ordinary, or any available cheap, first-class fare.

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 overnight journey, subject to reduction by one-half 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.—(1) The rate for travel by a member's own private motor vehicle shall, subject as hereinafter mentioned, be:—

(*a*) in the case of a motor-car or of a motor cycle exceeding 150 cubic centimetres cylinder capacity, 3d. a mile;

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

(*c*) 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.

(2) The rate for travel by a member's own private motor vehicle where, in the opinion of the Committee 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 centimeteres 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 journeys in respect of which he has been, or is entitled to be paid travelling expenses under this order or under the General Nursing Council for Scotland (Allowances to Members of the Council, Enrolled Nurses Committee and Mental Nurses Committee) Direction 1956 or under the Central Midwives Board for Scotland (Allowances) Direction 1956 or under the National Health Service (Travelling Allowances, etc.) (Scotland) Regulations 1963, 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 journeys in respect of which he has been, or is entitled to be paid travelling expenses under the order or under the directions or regulations mentioned in the immediately preceding sub-paragraph, 7¼d. 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:

Provided that where the mileage rate does not exceed 3d. 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 (*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 3d. 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 1955(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".

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 Committee 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 compensation for loss of earnings or for additional expenses and subsistence allowances consequent on travel by air: Provided that, where the Committee 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.

6. In this part of this schedule "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 Payment in respect of subsistence expenses

1. An allowance not exceeding 63s. shall be payable in respect of each night up to the twenty-first in one place when a member is necessarily absent from his home or place of business, on the business of the Committee or sub-committee. Any case in which a member is likely to spend, or does spend, more than twenty-one nights in one place shall be reported to the Secretary of State 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 and pays for lunch costing 11s. or more or dinner costing 12s. or more on a train or boat, the above rates shall be increased to 9s. 6d. and 16s. respectively; or where lunch and dinner are both so ordered and paid for during an absence exceeding eight hours, the rate of 12s. shall be increased to 19s. 6d.

(a) S.I. 1955/1664 (1955 II, p. 2353).

4. Where a member is necessarily absent from his home or place of business for more than twelve hours and requires to commence his journey before he could reasonably be expected to take breakfast at home, the Committee may, at their discretion, pay a special supplement of 5s. 6d. to the normal day allowance of 12s. or the appropriate allowances of 16s. or 19s. 6d., referred to in the preceding paragraph, for meals taken on a train or boat:

Provided that breakfast costing 7s. 6d. or more on a train or boat shall be treated for the purposes of this paragraph in the same way as lunch or dinner for the purposes of this order.

SCHEDULE 3

Regulation 14

Orders revoked

The Nurses (Regional Nurse-Training Committees) (Scotland) Order 1956(a).

The Nurses (Regional Nurse-Training Committees) (Scotland) Amendment No. 2 Order 1957(b).

The Nurses (Regional Nurse-Training Committees) (Scotland) Amendment Order 1958(c).

The Nurses (Regional Nurse-Training Committees) (Scotland) Amendment Order 1959(d).

The Nurses (Regional Nurse-Training Committees) (Scotland) Amendment Order 1961(e).

The Nurses (Regional Nurse-Training Committees) (Scotland) Amendment Order 1962(f).

The Nurses (Regional Nurse-Training Committees) (Scotland) Amendment (No. 2) Order 1962(g).

EXPLANATORY NOTE

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

This order consolidates with one amendment the orders mentioned in Schedule 3. The amendment provides for an increase in the amount of the night subsistence allowance.

(a) S.I. 1956/1422 (1956 II, p. 1711).
(b) S.I. 1957/1318 (1957 II, p. 1749).
(c) S.I. 1958/275 (1958 II, p. 1698).
(d) S.I. 1959/2057 (1959 II, p. 1970).
(e) S.I. 1961/1262 (1961 II, p. 2459).
(f) S.I. 1962/1350 (1962 II, p. 1492).
(g) S.I. 1962/2109 (1962 III, p. 2518).