

1977 No. 15

EDUCATION AND LIBRARIES**Education and Library Boards (Conferences) Regulations
(Northern Ireland) 1977**

Made 26th January 1977

Coming into operation 21st February 1977

The Department(a) of Education in exercise of the powers conferred on it by Articles 81(2) and 125 of the Education and Libraries (Northern Ireland) Order 1972(b) hereinafter referred to as "the Order" and by section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962(c) and of every other power enabling it in that behalf hereby makes the following Regulations:

Citation and commencement

1. These regulations may be cited as the Education and Library Boards (Conferences) Regulations (Northern Ireland) 1977 and shall be deemed to have had effect from 19 November 1976.

Definitions

2. In these regulations—

"conference" means any conference for the purpose described in Article 81(2) of the Order other than a conference organised primarily with a view to the advancement of the interest of any particular profession, class of officer or trade union or any conference in respect of which expenses are payable under Article 67 of the Order;

"financial loss allowance" means a payment in respect of any loss of earnings necessarily suffered or any additional expenses (other than expenses on account of travelling and subsistence) necessarily suffered or incurred for the purpose of attending a conference;

"member" means a member of an Education and Library Board;

"officer" means an officer of an Education and Library Board.

Expenditure on conferences

3. A Board may incur reasonable expenditure—

(a) in organising or participating in the organisation of conferences;

(b) on purchasing reports of the proceedings of any conference;

(c) on the payment of travelling and subsistence expenses of any member or other person authorised by the Board to attend a conference;

(d) on the payment of a financial loss allowance to any member or other person not being an officer authorised by the Board to attend a conference;

(e) on the payment of any conference fee in respect of any member or other person authorised by the Board to attend a conference.

(a) Formerly Ministry: see 1973 c. 36 Schedule 5 para. 8(1)

(b) S.I. 1972/1263 (N.I. 12)

(c) 1962 c. 7 (N.I.)

Provided that unless the prior approval of the Department is obtained—

- (i) not more than 3 members and 3 other persons shall be authorised to attend a conference in the British Isles; and
- (ii) no member or other person shall be authorised to attend a conference outside the British Isles.

Travelling and subsistence allowances

4.—(1) The payments which a Board may make under regulation 3(c) towards expenditure on travelling and subsistence incurred by any person authorised by it to attend a conference—

- (a) in the case of an officer shall not exceed the rates applicable to officers of the Board;
- (b) in the case of a member or other person not being an officer shall be determined—
 - (i) in respect of travelling allowance in accordance with the rules in Schedule 1 and, as the case may be,
 - (ii) in respect of subsistence allowance in accordance with the rules in Schedule 2,

where expenditure on travelling or on subsistence is necessarily incurred by him for the purpose of enabling him to attend the conference. Such allowances shall be at rates determined by the Board but shall not exceed the rates prescribed in the relevant Schedule.

(2) No person shall be entitled to a payment by way of subsistence allowance in respect of attendance at a conference except in respect of a conference held at a distance of more than three miles from his usual place of residence.

Financial loss allowance

5. The payment which a Board may make under regulation 3(d) of these regulations in respect of the amount of any financial loss allowance shall not exceed for a period of not more than 4 hours in any period of 24 hours £4.00 and for a period of more than 4 hours in any period of 24 hours £8.00.

Equality

6. The rate of any allowance determined under regulation 4(1)(b) shall be the same for all persons entitled to the relevant allowance and for every conference in respect of which it is payable.

Prevention of duplicate payments

7.—(1) Where a person is entitled to receive any payment under regulation 4(1)(b) in connection with attendance at a conference as a member of more than one body in respect of periods falling within any one period of 24 hours, he shall be entitled to receive, and there shall be payable to him such payments for allowance as will not exceed in the aggregate the payments to which he would have been entitled had all the said conferences been attended by him as a member of only one of these bodies.

(2) Where under these regulations and any other transferred provision any person not being an officer would become entitled, apart from this regulation, to receive duplicate payments in respect of allowances in relation to the attendance at conferences in any one period of 24 hours, the amount which he shall be entitled to receive under these regulations shall be reduced by any amount received by him under the other transferred provision and any claim under these regulations shall contain particulars of any amount so received.

Claims for allowances

8. Any person entitled to an allowance under these regulations shall make a claim for such allowances in such form as the Board may direct to the Chief Officer of the Board and shall make a declaration that—

- (a) he has not and will not make any claim for allowances from any other body in respect of his attendance at the conference;
- (b) the amounts claimed are strictly in accordance with these regulations;
- (c) in respect of any claim for financial loss allowance the loss has been incurred or suffered as a result of attending a conference.

Records

9. The Board shall keep detailed records of all payments made to persons under these regulations, indicating the amounts paid to each person and the heads under which they were paid, and such records shall be open to inspection at all reasonable hours to any member of the public.

Revocation

10. The Education and Library Boards (Conferences) Regulations (Northern Ireland) 1975(d) are hereby revoked.

Sealed with the Official Seal of the Department of Education for Northern Ireland on 26th January 1977.

(L.S.)

T. R. Meharg

Assistant Secretary

SCHEDULE 1

Rules with respect to the payment of travelling allowances

1. The rate for travel by public service shall not exceed the amount of the ordinary first class fare or any available cheap first class fare: provided that the sum paid shall not exceed the actual amount disbursed.

2. The rate specified in the preceding paragraph may be increased by supplementary allowances not exceeding expenditure actually incurred—

- (a) on special supplements, reservation of seats and deposits or portorage of luggage; and
- (b) on sleeping accommodation for an overnight journey subject, however, to reduction by one-third of any subsistence allowance payable for that night.

3. The rate for travel by taxi-cab shall not exceed—

- (a) in cases of urgency or where no public service is reasonably available, the amount of the actual fare and any reasonable gratuity paid; and
- (b) in any other case, the amount of the fare which would have been applicable to travel by appropriate public service.

4. The rate for travel by a hired motor vehicle other than a taxi-cab shall not exceed the rate which would have been applicable had the vehicle belonged to the person who hired it:

Provided that where the Board so approves the rate may be increased to an amount not exceeding the actual cost of the hiring.

5. Fares for travel by air shall be payable if either—

- (a) the rate for travel by air does 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 subsistence expenses consequent on travel by air; or
- (b) the Board resolves, either generally or specially, that the saving in time is so substantial as to justify payment of the fare for travel by air, in which case there may be paid an amount not exceeding—
 - (i) the ordinary, or any available cheap fare for travel by regular air service; or
 - (ii) where no such service is available, or in case of urgency, the fare actually paid.

6.—(1) If a person uses his private motor vehicle in circumstances where the conditions specified in sub-paragraph (2) are not satisfied, the mileage allowance payable shall be at a rate not exceeding 4.1p a mile or the rate appropriate to the vehicle in question under that sub-paragraph, whichever is the less.

(2) If a person uses his private motor vehicle in circumstances which result in a substantial saving of his time and are otherwise reasonable or where it is in the interests of the Board that he should use his private motor vehicle in preference to a public service or where a public service is not available, the mileage rates payable shall not exceed—

- (a) for motor cars or tri-cars exceeding 1199 c.c.: 12.0p a mile;
- (b) for motor cars or tri-cars exceeding 999 c.c. but not exceeding 1199 c.c.: 10.9p a mile;
- (c) for motor cars or tri-cars exceeding 500 c.c. but not exceeding 999 c.c.: 9.9p a mile;
- (d) for solo motor cycles exceeding 500 c.c., motor cycles with side car and motor cars or tri-cars not exceeding 500 c.c.: 4.8p a mile;

(e) for solo motor cycles—

- (i) exceeding 150 c.c. but not exceeding 500 c.c.: 3.6p a mile;
- (ii) exceeding 120 c.c. but not exceeding 150 c.c.: 2.9p a mile;
- (iii) not exceeding 120 c.c.: 2.3p a mile.

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

(a) where other persons are conveyed in the same vehicle on the business of the Board—

- (i) in respect of sub-paragraph (1) by 0.5p a mile for the carriage of each additional passenger to whom an allowance would otherwise be payable under these regulations subject to a limit of 2.0p a mile for four or more passengers;
- (ii) in respect of sub-paragraph (2) by 0.2p a mile for the carriage of each such additional passenger:

Provided that no passenger allowances shall be payable in respect of solo motor cycles;

- (b) by not more than the amount of any expenditure incurred on tolls, ferries or parking fees;
- (c) in the case of absence overnight from the usual place of residence, by not more than 12.5p a night for garaging a motor car or tri-car, or 7.5p a night for garaging a motor vehicle of any other type.

(4) For the purpose of this Schedule a "private motor vehicle" includes a vehicle belonging to a member of the person's family or otherwise provided for his use.

7. For the purpose of the Schedule "c.c." means cylinder capacity calculated in cubic centimetres in accordance with regulation 45 of the Road Vehicles (Registration and Licensing) Regulations (Northern Ireland) 1973(e), except that where the engine of a car has been rebored the calculation shall be based on the engine as it was when new.

SCHEDULE 2

Rules with respect to the payment of subsistence allowances

1.—(1) The rate of subsistence allowance shall not exceed—

(a) in the case of an absence, not involving an absence overnight, from the usual place of residence—

- (i) of more than four but not more than eight hours: £2.39;
- (ii) of more than eight but not more than twelve hours: £4.21;
- (iii) of more than twelve but not more than sixteen hours: £5.95;
- (iv) of more than sixteen hours: £7.11.

(b) in the case of an absence overnight from the usual place of residence—

- (i) in the British Islands: £15.60;
- (ii) elsewhere, such rate as the Department may from time to time approve:

Provided that for such an absence overnight in London, or exceptionally in any other place in the British Islands approved by the Department the rate may be increased by a supplementary allowance not exceeding £1.50.

(c) for the purpose of this sub-paragraph, London means the City of London and the London boroughs of Camden, Greenwich, Hackney, Hammersmith, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth and Westminster.

(2) Any rate determined under sub-paragraph (1)(b) shall be deemed to cover a continuous period of absence of twenty-four hours.

2. The rates specified in the preceding paragraph shall be reduced by an appropriate amount in respect of any meal provided free of charge by any body during the period to which the allowance relates.

EXPLANATORY NOTE

(This note is not part of the regulations but is intended to indicate their general purport.)

These regulations, which supersede the Education and Library Boards (Conferences) Regulations (Northern Ireland) 1975, prescribe the conditions under which an Education and Library Board may incur expenditure in connection with conferences. The expenditure which may be incurred includes payment of travelling and subsistence allowances and of a financial loss allowance and the regulations provide for increases in the maximum rates of travelling and subsistence allowances which were prescribed in the superseded regulations. The regulations have retrospective effect by virtue of section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962.